

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33531 of 2021

Arising Out of PS. Case No.-246 Year-2020 Thana- KHARIK District- Bhagalpur

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AADI MUSHAHAR @ ADI RISHIDEO Son of Susheel Rishideo Resident
of Village- Goal Chowk (Mushahari Tola), Kharik Bajar, P.S.- Kharik,
District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr. Rajiv Nayan

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-12-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Kharik Police Station Case No. 246 of 2020, registered for the
offences punishable under Sections 30(a)/38(i) of the Bihar
Prohibition and Excise Act, 2016.

The allegation, as per the First Information Report, is
that a total quantity of 36 litres of illicit liquor was recovered
from the newly constructed house of the petitioner.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and the house, from where the illicit liquor has been recovered,
is a newly constructed house and the petitioner and his family



members have not started living in the said house. He further submits that the house, in question, was abandoned and is accessible to all and sundry. He next submits that the petitioner is in custody since 11.01.2021 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the house, in question, was newly constructed house, nobody has started living in the said house, charge sheet has already been submitted and the petitioner is in custody since 11.01.2021, I am inclined to grant regular bail to the petitioner, **after framing of charge or on completion of one year in custody, whichever is earlier.**

This application is, accordingly, allowed.

Let the petitioner, Adi Mushahar @ Adi Rishideo, be released on bail, **after framing of charge or on completion of one year in custody, whichever is earlier**, on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Bhagalpur, in



connection with Kharik Police Station Case No. 246 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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