

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50604 of 2021**

Arising Out of PS. Case No.-63 Year-2021 Thana- CHACKMEHSI District- Samastipur

Awadhesh Kumar @ Awadhesh Jha S/O- Maheshwar Jha Resident of Village
- Harpur, P.S. - Pusa, District - Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Anu Priyadarshni, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 17-12-2021 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of Covid 19 pandemic, requiring social distancing.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Chackmensi P.S. Case No. 63 of 2021 instituted for the offences under Sections 30 (a) and 32 (2) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 04.06.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that



allegation is of recovery of 939.375 liters of liquor from a truck, the accused was not present in the truck rather he was riding motorcycle from which nothing was recovered. He was falsely implicated in the present case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 04.06.2021, charge-sheet has been submitted in the case and the petitioner is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, cum special Judge (Excise), Samastipur in connection with Chackmensi P.S. Case No. 63 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

Gaurav Kumar/-

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