

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1636 of 2021

Arising Out of PS. Case No.-451 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

1. MANOJ SAH, Son Of RAJDEO SAH, Resident Of Village - Basudeopur Sarai,
2. Sanoj Kumar, Son Of Rajdeo Sah, Resident Of Village - Basudeopur, Sarai,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhaya, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-03-2021 Heard Mr. Upendra Kumar Chaubey, learned Counsel for the petitioners and Mr. Jharkhandi Upadhaya, learned Additional Public Prosecutor for the State, through Video Conferencing.

This application, for grant of regular bail, arises out of Sahebganj Police Station Case No. 451 of 2020, disclosing offences under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Excise Prohibition Act, 2016.

The allegation, as per the First Information Report is that on the basis of secret information, police raided the house of the petitioners and they tried to flee away but apprehended by the police and upon search, 50 litres of country-made liquor was recovered from behind the house of the petitioners.



Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case with ulterior motive. Learned counsel next submits that illicit liquor has not been recovered from the conscious possession of the petitioners and it has allegedly been recovered from behind the house of the petitioners. Learned counsel further submits that petitioner No.1 has got one criminal antecedent of similar nature of case registered in the year 2016 in which he is on bail and petitioner No.2 has got no criminal antecedent and both the petitioners are in custody since 24.08.2020 and the chargesheet has already been submitted against the petitioners and there is no likelihood that the petitioners will abscond or tamper with the evidence.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioners are in custody since 24.08.2020 and the chargesheet has already been submitted in this case, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioner No.1, Manoj Sah and petitioner No.2, Sanoj Kumar, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two



sureties of the like amount each to the satisfaction of learned
Special Judge, Excise Act, Muzaffarpur, in connection with
Sahebganj Police Station Case No. 451 of 2020.

It is made clear at the time of furnishing bail bond,
all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J)

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