

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3970 of 2021**

Arising Out of PS. Case No.-29 Year-2020 Thana- SIWAIPATTI District- Muzaffarpur

RAJA KUMAR, Son of Ramekbal Rai, Resident of Village - Kodaria, P.S.-
Siwaipatti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 19-03-2021 Heard Mr. Sanjeet Kumar, learned Counsel for the

petitioner and Mr. Nawal Kishore Prasad, learned Additional

Public Prosecutor for the State, through Video Conferencing.

This application, for grant of regular bail, arises out
of Siwaipatti Police Station Case No. 29 of 2020, disclosing
offences under Section 272/34 of the Indian Penal Code and
Section 30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation, as per the First Information Report
is that police got a secret information that petitioner along with
other accused persons have stored illegal illicit liquor in the
maize field of Sadhusaran Rai, proceeded towards the place of
occurrence and recovered 396 litres of illicit liquor from the
maize field of Shadhusaran Rai. The local villagers disclosed
the name of the petitioner and others that they have stored the



illicit liquor in the field for the purpose of selling it.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent and he has falsely been implicated in this case on the basis of secret information and the name of the petitioner has been disclosed by the co-villagers. Learned counsel next submits that no illicit liquor has been recovered from the conscious possession or from the premises belonging to the petitioner. Learned counsel further submits that petitioner is in custody since 28.08.2020 and the chargesheet has already been submitted against the petitioner and there is no likelihood that the petitioner 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 petitioner is in custody since 28.08.2020 having no criminal antecedent and the chargesheet has already been submitted in this case, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Raja Kumar, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur, in connection with Siwaipatti Police Station Case No. 29 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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