

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53584 of 2021

Arising Out of PS. Case No.-133 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Saran

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Bablu Kumar Son of Sudarshan Singh Resident of Village- Garkha,
Kumhartoli, Near Devi Mandir, P.S.- Garkha, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Mithilesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-01-2022 Heard Shri Dhananjay Kumar Tiwary, learned counsel

for the petitioner and Shri Mithilesh Kumar Khare, learned

A.P.P. for the State through virtual court proceedings.

By order dated 24.12.2021 the petitioner was granted
bail. In the order dated 24.12.2021 it was typed as the petitioner
seeks bail in connection with Excise Case No. 449 of 2020 (Ex.
Trial No. 310 of 2021), instituted for offences under Section
30(a) of the Bihar Prohibition and Excise Amendment Act,
2018. The Excise Case No. 449 of 2020 in the order dated
24.12.2021 was typed as per pleadings made in the bail
application, but while signing the order it came to the notice of
the Court that the impugned order (dated 21.08.2021) by which
the bail application of the petitioner was rejected recorded



Excise Case No. 133 of 2020 under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, accordingly the order dated 24.12.2021 was not signed and the case was listed under the heading “To Be Mentioned”.

Mr. Dhananjay Kumar Tiwary, learned counsel for the petitioner submits that inadvertently in the bail application the case number was typed as Excise Case no. 449 of 2020 instead of Excise Case no. 133 of 2020, on account of which the order dated 24.12.2020 could not be signed. Learned counsel submits that in future he will be careful in drafting his applications and would not give a chance to the Court to rectify pleadings made in his application.

The petitioner seeks bail in connection with Excise Case No. 133 of 2020 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is in custody since 22.07.2021 and prosecution report has been submitted in the case.

Learned counsel for the petitioner submits that allegation is of recovery of 441.87 litres of liquor from straw house of co-accused Bittu Singh.

Learned counsel for the petitioner submits that



recovery is from the house of co-accused Bittu Singh and it is alleged that recovered liquor belongs to this petitioner, the allegation is based on suspicion and the petitioner has been falsely implicated in this 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 22.07.2021, and prosecution report has been submitted in the case, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge Excise, Saran at Chhapra in connection with Excise Case No. 133 of 2020.

(Satyavrat Verma, J)

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