

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.489 of 2021

Arising Out of PS. Case No.-259 Year-2020 Thana- NAWADA MUFFASIL District- Nawada

RAMSWAROOP CHAUDHARY son of Late Banshi Chaudhary Resident of
Village- Kalipur, P.S.- Mufassil, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma, Advocate

For the Opposite Party/s : Ms. Rita Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-02-2021 Heard Mr. Pramod Kumar Verma, learned
counsel for the petitioner and Ms. Rita Verma learned
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Nawada Mufassil P.S. Case No. 259 of 2020 registered for
the offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The allegation as per the First Information Report
is that a total quantity of 10 litres of illicit liquor has been
recovered beside the house of the petitioner made of
asbestos sheets.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner



alleged and he has falsely been implicated in this case with oblique motive. Learned counsel further submits that the illicit liquor has not been recovered from conscious possession of the petitioner and at the time of search and seizure, the procedure prescribed under Section 100 Cr. P.C. has not been followed. Learned counsel also submits that the petitioner is in custody since 26.09.2020, the charge sheet has already been submitted 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, the fact that the petitioner is in custody since 26.9.2020 and charge sheet has been submitted as well as there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Nawada, in connection



with Nawada Mufassil P.S. Case No. 259 of 2020

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

(Anil Kumar Sinha, J)

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