

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2690 of 2021

Arising Out of PS. Case No.-451 Year-2020 Thana- SUGAULI District- East Champaran

AKIB RAJA @ GOLU SON OF SHAMSHAD RESIDENT OF VILLAGE
BARA BUDHA, P.S.-SUGAULI, DISTRICT-EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Ms. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 21-06-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through Video
Conferencing.

The petitioner seeks regular bail in connection with
Sugauli Police Station Case No. 451 of 2020, registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The allegation, as per the First Information Report, is
that the police, after getting secret information that the petitioner
has stored illicit liquor, proceeded towards the place of
occurrence and recovered 2200 litres of spirit from a mango
orchard. It has been alleged that the name of the petitioner has
been revealed by the local persons.

Learned Counsel for the petitioner submits that the



petitioner has falsely been implicated in this case merely on the basis of the fact that the spirit has been recovered from the mango orchard belonging to the petitioner. He further submits that the mango orchard is an open place accessible to all and sundry. He further submits that the spirit has not been recovered from the conscious possession of the petitioner and his name has been disclosed by the local persons. He next submits that the petitioner is in custody since 16.10.2020 and charge sheet has been submitted against the petitioner, as such, there is no likelihood of the petitioner being abscond or tamper with the evidence.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that spirit has been recovered from a mango orchard which is an open space, the petitioner is in custody since 16.10.2020 and charge sheet has been submitted against him, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, East



Champaran, at Motihari, in connection with Sugauli Police Station Case No. 451 of 2020, subject to the condition that the petitioner will not indulge himself in any case of similar nature in future.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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