

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2629 of 2021

Arising Out of PS. Case No.-398 Year-2020 Thana- KOILWAR District- Bhojpur

UPADHAYA MISTRI S/O LATE JAGDEESH CHAUDHARI R/O
VILLAGE-BABURBANI, P.S-KOILWAR, DISTRICT-BHOJPUR AT ARA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-03-2021 Heard Mr. Manoj Kumar, learned counsel for the

petitioner and Mr. Akshay Lal Pandit, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

Koilwar P.S. Case No. 398 of 2020 registered for the

offence punishable under Section 30(a) of the Bihar

Prohibition and Excise (Amendment) Act, 2016.

The allegation as per the First Information Report

is that the Police got secret information that the petitioner

along with other co-accused persons are indulged in selling

of illicit liquor, proceeded towards the place of occurrence

and from the North of the house of the petitioner 139 litres



of illicit country made liquor has been recovered.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedents and he has falsely been implicated in this case by the Police with oblique motive. Learned counsel further submits that no illicit liquor has been recovered either from the conscious possession of the petitioner or the premises belonging to him and he is in custody since 21.09.2020. Learned counsel next submits that the charge sheet has already been submitted in the matter.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that the petitioner has got no criminal antecedent and he is in custody since 21.09.2020 as well as the charge sheet has already been submitted, 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 A.D.J.-4th cum Special Judge, Excise Act, Bhojpur at Ara, in connection



with Koilwar P.S. Case No. 398 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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