

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7938 of 2021

Arising Out of PS. Case No.-1090 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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Abhinash Kumar Bari, Son Of Tunna Bari @ Tuna Bari Resident Of Village -
Chuna Bhatthi, P.S.- L.N.M.U. Darbhanga , District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav- Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-04-2021 Heard Mr. Gagan Deo Yadav, learned counsel for

the appearing petitioner and Mr. Nawal Kishore Prasad, learned

Additional Public Prosecutor appearing for the State through

video conferencing.

Petitioner seeks regular bail in connection with

G.O. Case No.1090 of 2020 registered for the offence

punishable under Section 30(a) of the Bihar Prohibition and

Excise Act, 2018.

The allegation as per the prosecution report that the

police raided a hut meant for keeping fodder belonging to the

petitioner and arrested him on the spot along with another

person and a total quantity of 231 litres of foreign liquor was

recovered from that hut.



Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case by the police with oblique motive.

Learned counsel next submits that from perusal of the seizure list, it would be evident that the illicit liquor has been recovered from a fodder room situated near a road, which goes to Navtohiya Dheng. Learned counsel next submits that the petitioner has got no criminal antecedent and that the fodder room is situated near a road, which is accessible to all and sundry and the petitioner is in custody since 08.10.2020 and prosecution report/ investigation report has already been submitted in the matter.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that the petitioner has got no criminal antecedent and he is in custody since 08.10.2020 and prosecution report/ investigation report has already been submitted in the matter, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Darbhanga in connection with G.O. Case No.1090 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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