

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7927 of 2021

Arising Out of PS. Case No.-64 Year-2020 Thana- PARASI District- Jehanabad

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Anil Kumar Tati @ Nanhe Tati, aged about 32 years, male, Son of Late Shiv Govind Tati, Residence of village + post - Walidad, P.S. - Mahindiya, Dist. - Arwal.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj

For the Opposite Party/s : Mr. Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-04-2021 Heard Mr. Nitya Nand Neeraj, learned counsel for the petitioner and Mr. Nand Kumar, learned counsel appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Excise Case No. 919 of 2020 in connection with Parasi P.S. Case No. 64 of 2020 registered for the offence under Section 30 (a) of the Bihar Prohibition and Excise Amendment Act, 2018.

The allegation as per the First Information Report is that Police got a secret information that in the mango orchard of Ashok Yadav illicit liquor was being stored, proceeded towards the place of occurrence and upon seeing the Police Party the accused persons sitting in *Scorpio* vehicle and one *JEETO MINI VAN* started fleeing away and one of the accused persons who



was alighting from the *Scorpio* vehicle was arrested, who disclosed his name as Anil Kumar Tati i.e. the petitioner and other accused persons succeeded in fleeing away and from the orchard and *Scorpio* and *JEETO MINI VAN* total quantity of 1053.44 liters of illicit liquor was recovered.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to oblique motive and he has got no criminal antecedent. Learned counsel next submits that petitioner is not the owner of the vehicles from where the illicit liquor has been recovered as well as he is having no connection with mango orchard. Learned counsel next submits that petitioner had gone to attend the nature's call and was arrested by the Police at about 3.45 in the morning. Learned counsel next submits that petitioner is in custody since 14/11/2020 and charge sheet has already been submitted.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the materials available on record, the fact that petitioner has got no criminal antecedent, no illicit liquor has been recovered from the conscious possession of the petitioner or the vehicle or the premises belonging to him and 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. S.J. II cum Special Judge Excise Jehanabad in connection with Excise Case No. 919 of 2020 in connection with Parasi P.S. Case No. 64 of 2020.

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

(Anil Kumar Sinha, J)

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