

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.3110 of 2022

Arising Out of PS. Case No.-503 Year-2021 Thana- SAHEBGANJ District- Muzaffarpur

1. SONU KUMAR @ SONU PASWAN SON OF GIRIDHARI PASWAN R/O VILLAGE- BAIDNATHPUR (KARNAUL), P.S.- SAHEBGANJ, DISTRICT- MUZAFFARPUR
2. SHIV SAGAR RAM SON OF LATE BHAGELAN RAM R/O VILLAGE- BAIDNATHPUR, P.S.- SAHEBGANJ, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yashraj Bardhan
For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-05-2022 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek regular bail in connection with Sahebganj Police Station Case No. 503 of 2021, registered for the offences punishable under Sections 272/273/34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information Report, is that the police, on the basis of secret information, raided the place of occurrence and recovered 25 litres of illicit country-made liquor from the door of one Phulwatiya Devi. It is



further alleged that on seeing the police, the persons sitting near the door of Phulwatiya Devi, started fleeing away, however, seven male and four females were arrested by the police, including the petitioners.

Learned Counsel for the petitioner submits that the petitioners have falsely been implicated in this case with oblique motive and they have not committed any offence in the manner alleged. He further submits that no illicit liquor has been recovered from the conscious possession and/or premises belonging to the petitioners; rather the illicit liquor has been recovered from the door of one Phulwatia Devi. He further submits that the petitioners are in custody since 13.11.2021, having no criminal antecedent, and charge sheet has already been submitted against them and as such there is no likelihood that the petitioners will abscond and/or tamper with the evidence.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that no illicit liquor has been recovered from the conscious possession and/or premises belonging to the petitioners, charge sheet has already been submitted and the petitioners are in custody since 13.11.2021, having no criminal



antecedent, I am inclined to grant regular bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur, in connection with Sahebganj Police Station Case No. 503 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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