

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2865 of 2022**

Arising Out of PS. Case No.-216 Year-2020 Thana- ROSERA District- Samastipur

=====

SUJAY PRATAP SINGH @ PENTAR S/o- Late Dileep Singh R/V - Aarut,  
P.S. - Rosera, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Indu Kumari Srivastava

=====

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      26-05-2022                      Heard the parties.

Petitioner seeks regular bail in connection with  
Rosera PS Case No. 216 of 2020 , Computer Reg. No. 700 /  
2021 instituted for the offence under Section 272, 273 /34 of  
the IPC and Section 30 (a) of the Bihar Prohibition and Excise  
Act 2016.

113 liters 25 ml of illicit foreign liquor has been  
recovered from a *Gumti* (shop).

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 the alleged  
recovery of illicit foreign liquor is from one *Gumti*, which is  
closed and abandoned since long and situated in a public place



accessible to all and sundry. Learned counsel further submits that petitioner is not the owner of the said *Gumti*. Learned counsel next submits that during search and seizure procedures prescribed under Section 100 of the Cr.P.C. and the Excise Act have not been followed. Learned counsel next submits that similarly situated co-accused / Rahul Kumar Singh and Pashupati Thakur have been granted bail by different Co-ordinate Benches of this Court in Cr. Misc. No. 39623 / 2020 & 19234 / 2021 respectively. Learned counsel next submits that petitioner has clean antecedent, he is in custody since 25/10/2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence if released on bail.

Regard being to the submissions made by the parties, taking into consideration the fact that petitioner is having clean antecedent, he is in custody since 25/10/2021 , charge sheet has already been submitted and there is no likelihood that petitioner will abscond or tamper with the evidence, as such, I am inclined to grant regular bail to the petitioner .

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- ( twenty thousand) with two sureties of the like amount each to the



satisfaction of learned Addl. Sessions Judge cum Special Judge  
(Excise) , Samastipur in connection with Rosera PS Case No.  
216 of 2020 / Computer Reg. No. 700 / 2021.

(Anil Kumar Sinha, J)

praful/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

