

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3289 of 2022

Arising Out of PS. Case No.-413 Year-2020 Thana- BIHPUR District- Bhagalpur

MD SAHWAZ @ SHAHBAJ Son of Md. Sohrab Resident of Village - Milki,
P.S. Bihpur District - Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Adv.

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-06-2022 Heard counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bihpur P.S. Case No. 413 of 2020 lodged under Sections 30(a)
read with 38(i) of Bihar Prohibition and Excise Act, 2018.

As per the allegation made in the F.I.R., the total
recovery of 135 liters of foreign liquor were made in this case.

Learned counsel for the petitioner submits that the
charge sheet has already been filed in this case and petitioner is
in custody since 27.07.2021. Petitioner has no criminal
antecedent. He further submits that recovery of wine has not
taken place from the conscious possession of the petitioner and
it transpires from the contents of the F.I.R. itself.

Learned A.P.P. has opposed the prayer for bail.

Considering the facts of the case and after perusal of records as well as this aspect that charge sheet has already been submitted and petitioner is in custody since 27.07.2021 having no criminal antecedent, let the petitioner above named, be granted bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-cum-Special Judge, Excise Act, Bhagalpur in connection with Bihpur P.S. Case No. 413 of 2020.

(Dr. Anshuman, J)

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