

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7239 of 2022

Arising Out of PS. Case No.-32 Year-2021 Thana- GOGRI District- Khagaria

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SARVESH CHAURASIYA Son of Late Uday Chaurasiya Resident of Village
- Gopalpur, P.s.- Gogari, Distt.- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr.Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-05-2022 Heard the parties.

Petitioner seeks regular bail in connection with
Gogari PS Case No. 32 / 2021, G.R. No. 236 / 2021 instituted
for the offence under Section 30 (a) of the Bihar Prohibition and
Excise Act 2018.

99 liters of illicit foreign liquor has allegedly been
recovered from the field in which mustard oil crops were
planted.

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 aforesaid



illicit liquor has been recovered from the field in which mustard oil crops have been planted belonging to the co-accused / Rabin Yadav. Learned counsel next submits that no illicit liquor has been recovered from the conscious possession and / or premises belonging to the petitioner. Learned counsel also submits that petitioner has been implicated in this case only on the basis of suspicion and his past criminal background of involvement in similar nature of offence. 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 petitioner is in custody since 01-12-2021, 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 in custody since 01-12-2021 , 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 Special Judge Ist (Excise), Khagaria in connection with Gogari PS Case No. 32 / 2021 , G.R .No. 236 / 2021.

(Anil Kumar Sinha, J)

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