

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8971 of 2022

Arising Out of PS. Case No.-703 Year-2021 Thana- AHYAPUR District- Muzaffarpur

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SANJAY KUMAR SON OF LATE SHANKAR PASWAN Resident of
Village - Kolhua Paigambarpur, P.s.- Ahiyapur, Dsitt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Kanhaiya Kishore(App100)

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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 Ahiyapur PS Case No. 703 of 2021 instituted for the offence under Section 272 / 273 of the IPC and Section 30 (a) / 36 of the Bihar Prohibition and Excise Act 2016.

25.920 liters of foreign liquor has allegedly been recovered by the police from a under constructed five storied building.

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 further submits that recovery of illicit liquor has been made from the under construction five storied building of one Satya Narayan Jee and the petitioner is in no way related to him. Learned counsel next submits that no illicit liquor has been recovered from the conscious possession and / or premises belonging to the petitioner. Learned counsel next submits that during search and seizure procedures



prescribed under Section 100 of the Cr.P.C. and Excise Act have not been followed. Learned counsel further submits that petitioner is in custody since 17-10-2021, 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 in custody since 17-10-2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence, and 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, Exclusive Excise Court No. 1, Muzaffarpur in connection with Ahiyapur PS Case No. 703 of 2021.

(Anil Kumar Sinha, J)

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