

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13017 of 2022

Arising Out of PS. Case No.-306 Year-2021 Thana- MANSI District- Khagaria

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LADDU SAHANI @ LALIT KUMAR Son of Chhatish Sahani Resident of
Village- Balha Dhura Musahari, P.S.- Mansi, District- Khagaria,.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh

For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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

The petitioner seeks regular bail in connection with
Mansi Police Station Case No. 306 of 2021, registered for the
offence punishable under 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 on seeing the police, two
persons succeeded in fleeing away and the police recovered 45
litres of illicit country-made liquor from the field.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case with oblique
motive. He further submits that the name of the petitioner was

disclosed by the local chowkidar as the person who fled away from the place of occurrence. He further submits that no illicit liquor has been recovered from the conscious possession and/or premises belonging to the petitioner; rather the illicit liquor has been recovered from an open field, which is accessible to all and sundry. He further submits that the petitioner is in custody since 12.12.2021, having no criminal antecedent, and charge sheet has already been submitted against him and as such there is no likelihood that the petitioner 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 illicit liquor has not been recovered from the conscious possession and/or premises belonging to the petitioner, charge sheet has already been submitted and the petitioner is in custody since 12.12.2021, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Khagaria, in

connection with Mansi Police Station Case No. 306 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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