

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20813 of 2022

Arising Out of PS. Case No.-673 Year-2021 Thana- BETTIAH CITY District- West
Champaran

TABREJ @ BELDAR S/o Shamim Akhtar R/o village- Naurangabagh, Ward
No. 33, P.S.- Bettiah (Town), District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Ms.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code read with Section 30(a) of the Bihar Excise Act and Sections 20(b)(ii)(B) and 29 of the NDPS Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 28.11.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Allegation is of recovery of 5.4 litres of liquor along with one kg of *ganja* from a plastic polythene from the house of one Rehana Khatoon.

Learned counsel for the petitioner submits that though in the F.I.R. it is alleged that the aforesaid articles were recovered



from the petitioner but from perusal of the seizure list on page-16 of the bail application, it would manifest that it clearly records that the alleged recovery was from the house of Rehana Khatoon and the seizure list does not even remotely whispers the name of the petitioner, it is thus submitted that it amply demonstrates that the petitioner came to be implicated falsely for reasons best known to the police. It is further submitted that even presuming what has been alleged is true, without admitting for the purposes of bail, then the alleged recovery of *ganza* is of small quantity.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 28.11.2021, is a person with clean antecedent, charge-sheet has been submitted in the case and taking into consideration the submissions made by the learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bettiah (Town) P.S. Case No. 673 of 2021.

(Satyavrat Verma, J)

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