

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34284 of 2021

Arising Out of PS. Case No.-125 Year-2019 Thana- JADOPUR District- Gopalganj

HIRALAL SAHANI @ HIRA LAL SAHNI Son of Bacha Sahni @ Bacha Sahani @ Bachcha Sahani Resident of Village - Nayatola (Bhathawa), Bishunpura, P.S.- Jadopur, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Setu Prateek

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-01-2022 Heard learned counsel for the parties.

Petitioner seeks regular bail in connection with Yadopur P.S. Case No. 125 of 2019 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

As per the First Information Report Police on the basis of secret information proceeded towards the place of occurrence and recovered 326 liters of illicit liquor near a *Bundh* and the name of the petitioner was disclosed by the village Chowkidar.

Learned counsel for the petitioner submits that petitioner has got no criminal antecedent and he has been dragged in this case on the basis of disclosure of his name by the village Chowkidar. He next submits that illicit liquor has not been recovered from the conscious possession of the petitioner and from perusal of the seizure list it would be evident that the same has been recovered from a *Bundh* near Gandak river. He



further submits that petitioner is in custody since 15.03.2021 and two of the similarly situated co-accused persons have been granted bail by different Co-ordinate Benches of this Court vide Cr. Misc. Nos. 21449 of 2021 and 36471 of 2020.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner has got no criminal antecedent , no illicit liquor has been recovered from his conscious possession, he is in custody since 15.03.2021 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, 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 Additional Sessions Judge 2nd cum Special Judge Excise Act, Gopalganj in connection with Yadopur P.S. Case No. 125 of 2019.

(Anil Kumar Sinha, J)

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