

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35856 of 2021

Arising Out of PS. Case No.-285 Year-2020 Thana- MANSI District- Khagaria

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PRAVIN KUMAR @ PRAVIN YADAV SON OF RAJO YADAV Resident of
Village - Khutia, P.S.- Mansi, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr. Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-01-2022 Heard learned counsel for the parties through video conferencing.

Petitioner seeks regular bail in connection with Mansi P.S. Case No. 285 of 2020 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Prosecution story in brief is that Police intercepted the motorcycle on which two persons were riding and upon seeing the Police party the person who was driving the motorcycle fled away, however, from the possession of the pillion rider four bottles of illicit liquor containing 180 ml liquor in each bottle were recovered and he disclosed the name of the petitioner from where illicit liquor was brought and upon information of the arrested co-accused / Manish Kumar the out-house (“Basa”) of the petitioner was raided and three persons from the said “Basa” started fleeing away upon seeing the Police party but were apprehended and upon search Police recovered 16 bottles of



foreign liquor containing 180 ml in each bottle. Total recovery of illicit liquor is 3 liter 600 ml.

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 on the basis of disclosure of his name by the arrested co-accused. He further submits that out-house ("*Basa*") is situated in an open space which is accessible to all and sundry and the petitioner was not arrested on the spot. Three persons were apprehended by the Police when it raided the out-house ("*Basa*") of the petitioner. The petitioner is in custody since 06-03-2021 and charge sheet has already been submitted.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that no illicit liquor has been recovered from the conscious possession of the petitioner, he is in custody since 06/03/2021 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. 25000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Khagaria in



connection with Mansi P.S. Case No. 285 of 2020.

(Anil Kumar Sinha, J)

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