

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34229 of 2021

Arising Out of PS. Case No.-42 Year-2020 Thana- GARDANIBAG District- Patna

PRINCE @ GOLU KUMAR SON OF PRIVATE KUMAR SINHA @
PRITAM SRIVASTAVA Resident of Village - Babu Bazar, Behind Mahadalit
Tola, P.S.- Gardanibagh, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar Singh

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-01-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Special Case No. 852 of 2020, arising out of Gardanibagh
Police Station Case No. 42 of 2020, registered for the offences
punishable under Sections 30(a)/36 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 that
the petitioner along with other co-accused person, is indulged in
the sale of liquor, proceeded towards the place of occurrence
and recovered a total quantity of 379.515 litres of illicit liquor
from the back side of the house of co-accused Khuder Manjhi.



Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of secret information received by the police and no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioner. He further submits that the petitioner is in custody since 08.03.2021 and charge sheet has been submitted against the petitioner and as such, there is no likelihood of the petitioner being abscond or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioner, charge sheet has been submitted and the petitioner is in custody since 08.03.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on 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, Patna, in connection with Special Case No. 852 of 2020, arising out of Gardanibagh Police Station



Case No. 42 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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