

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29078 of 2022

Arising Out of PS. Case No.-475 Year-2020 Thana- SITAMARHI District- Sitamarhi

RATNESH PASWAN S/o Bachchu Paswan R/o Village-Bhup Bhairo, P.S.-
Sitamarhi, District-Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-06-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Sitamarhi Police Station Case No. 475 of 2020, registered for the offences punishable under Sections 272/273 of the Indian Penal Code and Sections 30 (a)/36 of the Bihar Prohibition and Excise Act, 2016.

This is the second attempt on behalf of the petitioner for grant of regular bail. Earlier, the prayer for regular bail of the petitioner was dismissed as withdrawn, vide order, dated 11.02.2022, passed in Criminal Misc. No. 69728 of 2021, giving liberty to the petitioner to renew his prayer for bail after three months from the date of the order.

The prosecution case, as per the First Information



Report, is that the police, on the basis of secret information, intercepted one pick-up van and recovered a total quantity of 337.50 litres of illicit liquor. The police arrested the driver and cleaner of the pick-up van, who disclosed the name of the petitioner and others as the persons who fled away from the pick-up van on seeing the police party.

Learned Counsel for the petitioner submits that the petitioner has renewed his prayer for bail, as observed by this Court in the order dated 11.02.2022. He further submits that the petitioner has been implicated in this case on the basis of disclosure of his name by the arrested co-accused persons. He further submits that no illicit liquor has been recovered from the conscious possession and/or vehicle belonging to the petitioner. He further submits that the petitioner is in custody since 11.10.2021 and charge sheet has already been submitted and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Having regards to the submissions advanced on behalf of the parties and taking into consideration the fact that this is second attempt on behalf of the petitioner for grant of regular bail, no illicit liquor has been recovered from the conscious possession and/or vehicle belonging to the petitioner, the



petitioner is in custody since 11.10.2021 and charge sheet has been submitted against him, 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 bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Exclusive Excise Court-II, Sitamarhi, in connection with Sitamarhi Police Station Case No. 475 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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