

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40405 of 2021

Arising Out of PS. Case No.-376 Year-2021 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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PRADEEP PASWAN S/o Jaglal Paswan Resident of Chhajan Pasawara, P.S.-
Kurhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shambhu Sharan Singh
For the Opposite Party/s : Mr.Satyadeo Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-01-2022 Heard the parties through video conferencing.

Petitioner seeks regular bail in connection with Sadar
P.S. Case No. 376 of 2021 registered for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the First Information Report, police on the
basis of secret information that illicit liquor has been kept in a
kiosk near Ram Dayalu Bridge, proceeded towards the place of
occurrence and upon seeing the police party the petitioner
standing there started fleeing away, however, Police
apprehended the petitioner and recovered 30 liters of illicit
liquor from the said *kiosk*.

Learned counsel for the petitioner submits that
petitioner is not the owner of the *kiosk (gumti)* from where illicit



liquor has been recovered which would be evident from the seizure list prepared by the Police. He further submits that petitioner has got no criminal antecedent and illicit liquor has not been recovered from his conscious possession or the *kiosk* belonging to him. The petitioner is in custody since 7-6-2021, charge sheet has already been submitted and trial is not likely to be concluded in near future.

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, he is in custody since 7 / 6 / 2021, trial is not likely to be concluded in near future due to Covid-19 pandemic, 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. 10000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act Muzaffarpur in connection with Sadar P.S. Case No. 376 of 2021.

(Anil Kumar Sinha, J)

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