

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40361 of 2021**

Arising Out of PS. Case No.-273 Year-2020 Thana- PALASI District- Araria

CHAMARU @ CHAMARU SAH @ CHAMARU KUMAR SAH @
SURYANAND SAH Son of Shyam Sundar Sah Resident of Village- Garhara,
Ward No. 8, P.S.- Palasi, District- Araria-854333 (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha

For the Opposite Party/s : Mr.Pradeep Narain Kumar

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 25-01-2022 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. 666 of 2020, arising out of Palasi Police
Station Case No. 273 of 2020, registered for the offences
punishable under Section 30 (a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, as per the First Information
Report, is that a total quantity of 99 litres of illicit liquor has
allegedly been recovered from the house of co-accused and the
name of the petitioner has transpired on the basis of
confessional statement of co-accused, Pramod Bahardas.

Learned Counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case inasmuch as no illicit liquor has been recovered from the conscious possession and/or premises belonging to the petitioner and the name of the petitioner has transpired on the basis of the confessional statement of co-accused. He further submits that the petitioner has got no criminal antecedent of similar nature. He further submits that the petitioner is in custody since 07.03.2021 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/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 the petitioner has got no criminal antecedent of similar nature, no illicit liquor has been recovered from the possession of the petitioner, charge sheet has already been submitted and the petitioner is in custody since 07.03.2021 and the trial is not likely to be concluded in near future due to pandemic, 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 2nd Additional Sessions Judge -cum- Special Judge, Excise, Araria, in connection with Special Case No. 666 of 2020, arising out of Palasi Police Station Case No. 273 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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