

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43701 of 2021**

Arising Out of PS. Case No.-282 Year-2021 Thana- KOILWAR District- Bhojpur

LALBABU PRASAD S/o Late Bashudeo Sah R/o village- Dhandiha, P.S.-
Koilarwar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratneshwar Prasad, Adv.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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

2 04-02-2022 Heard Mr. Ratneshwar Prasad, learned counsel for
the petitioner and Mr. Mr. Shyam Kumar Singh, Additional
Public Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with
Koilarwar PS Case No. 282/2021 (Excise Case No. 1196/2021)
registered for the offence punishable under Sections 30(a) of
Bihar Prohibition & Excise Act 2016.

As per First Information Report, 90 litres of Mahua
wine and 7.200 litres of illicit foreign liquor has been recovered
from the house of the petitioner.

Learned counsel for the petitioner submits that the
petitioner has got no criminal antecedent and no illicit liquor has
been recovered from his conscious possession and other family
members of the petitioner also reside in the said house from
where the illicit liquor has been recovered. Learned counsel



next submits that the petitioner is in custody since 26.06.2021 and the charge-sheet in the matter has already been submitted.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that no illicit liquor has been recovered from the conscious possession of the petitioner and the house from where the recovery of illicit liquor has been made is a joint family property, petitioner is in custody since 26.06.2021, charge-sheet has been submitted 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.

Accordingly, let the petitioner, LALBABU PRASAD 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 4th Additional Sessions Judge-cum-Special Judge, Excise, Bhojpur at Ara in connection with Koilwar PS Case No. 282/2021 (Excise Case No. 1196/2021).

(Anil Kumar Sinha, J)

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