

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39762 of 2022

Arising Out of PS. Case No.-149 Year-2021 Thana- UCHKAGAON District- Gopalganj

SANJAY SAH @ SANJAY JAYSWAL Son of Paspati Sah Resident of
Village - Birwat Bazar, P.S.- uchkagaon, District – Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra

For the Opposite Party/s : Mrs.Asha Devi

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-08-2022 Heard the parties.

The petitioner renews his prayer for regular bail in connection with Uchkagaon PS Case No. 149 of 2021 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2018 inasmuch as earlier the bail application of the petitioner was dismissed as withdrawn vide Cr. Misc. No. 48216 of 2021 by this Court granting liberty to the petitioner to renew his prayer for bail after five months.

Prosecution case in brief is that police intercepted a motorcycle on the basis of secret information that the petitioner and one Lal Babu Thakur were carrying liquor on the said motorcycle but the accused persons fled away after



leaving the motorcycle on the spot, however, on chase police party arrested two persons and three persons succeeded in fleeing away. The arrested accused persons disclosed the name of the petitioner and others. A total quantity of 62.600 liters of country made liquor and 7.380 liters of foreign liquor were recovered from the motorcycle in question.

Learned counsel for the petitioner submits that petitioner is not the owner of the motorcycle in question, he is in custody since 02-07-2021 and this is second attempt for bail on behalf of the petitioner. He further submits that charges have not been framed as yet.

Having regard to the submissions made by the parties and taking into consideration the fact that petitioner is in custody since 02/07/2021, this is second attempt for bail on behalf of the petitioner, no illicit liquor has been recovered from the conscious possession of the petitioner, and as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25000/- (twenty



five thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge, Excise, Gopalganj in connection with Uchkagaon PS Case No. 149 / 2021.

(Anil Kumar Sinha, J)

Praful/-

U		T	
---	--	---	--

