

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51015 of 2021

Arising Out of PS. Case No.-38 Year-2020 Thana- SALAIYA District- Aurangabad

SUSHIL CHAUDHARY Son of Ram Lagan Chaudhary Resident of Village -
Pirwan, P.S.- Salaiya, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rakesh Singh Mr. Bhaskar Shankar
For the Opposite Party/s	:	Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-04-2022 Heard the parties.

Petitioner seeks regular bail in connection with
Salaiya PS Case No. 38 of 2020, G.R. No. 816 of 2020
registered under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

As per the first information report Police reached the
village - Tekka Bigha on the basis of secret information and
intercepted a *Tempo*, however, the driver of the said *Tempo*
managed to flee away. Police recovered 200 liters of country
made *Mahua* liquor from the said *Tempo*. The name of the
petitioner has been disclosed by the villagers assembled there.

Learned counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged
and he has been made accused on the basis of disclosure of his



name by the co-villagers. He next submits that petitioner is neither the driver nor the owner of the seized *Tempo*, he is in custody since 06.04.2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence, if released on bail.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner is neither the driver nor the owner of the seized *Tempo*, he is in custody since 06/04/2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence if released on bail, 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. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II cum Special Judge, Excise, Aurangabad in connection with Salaiya PS Case No. 38 of 2020, G.R. No. 816 of 2020.

(Anil Kumar Sinha, J)

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