

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68831 of 2021**

Arising Out of PS. Case No.-230 Year-2021 Thana- TEKARI District- Gaya

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BUDHAN PASWAN Son of Chhotu Paswan @ Madesher Paswan Resident
of Village - Sawasin, P.S.- Tekari (Panchanpur O.P.) and District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-05-2022 Heard both sides.

Petitioner seeks regular bail in connection with Tekari
(Panchanpur O.P.) PS Case No. 230 of 2021 (CIS 904 /
2021) registered for the offence under Sections 30(a) of the
Bihar Prohibition and Excise Act 2016.

A total quantity of 60 liters of country made liquor has
been recovered by the police from a bag tied on a “Scooty”.

Learned counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated by the police with oblique
motive. He further submits the during seizure the procedures
prescribed under Section 100 of the Cr.P.C. and the Excise Act
have not been followed by the police. Learned counsel next
submits that no illicit liquor has been recovered from the



possession of the petitioner and / or vehicle belonging to him. Learned counsel next submits that petitioner has got no criminal antecedent and he is in custody since 22.05.2021. Learned counsel further submits that 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, taking into consideration the material available on record, the fact that petitioner has got no criminal antecedent, he is in custody since 22.05.2021, charge sheet has already been submitted and there is there is no likelihood that petitioner will abscond or tamper with the evidence, 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. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II -cum- Special Judge of Excise Act, Gaya in connection with Tekari (Panchanpur O.P.) PS Case No. 230 of 2021 (CIS 904/ 2021).

(Anil Kumar Sinha, J)

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