

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52749 of 2021

Arising Out of PS. Case No.-335 Year-2021 Thana- BARACHATTI District- Gaya

SUDARSHAN KUMAR Son of Prabhu Narayan Singh Resident of Village-
Kishunpur, P.S.- Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mrs.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-04-2022 Heard the parties.

Petitioner seeks regular bail in connection with
Barachatti PS Case No. 335 of 2021 registered under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

802.680 liters of illicit foreign liquor has been
recovered from the truck owned and driven by the petitioner.

Learned counsel for the petitioner submits that
petitioner has got no criminal antecedent and this is first offence
in which the petitioner has been arrested by the police. He
denied the allegation made in the FIR and submits at the time of
seizure procedures prescribed for search and seizure in the
Excise Act as well as Section 100 of the Cr.P.C. have not been
followed. The petitioner is in custody since 08/06/2021, charge



sheet has already been submitted and there is no likelihood that 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 material available on record, the fact that petitioner has got no criminal antecedent, he is in custody since 08-06-2021 and charge sheet has already been submitted, 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 – IInd - cum Special Judge of Excise Act, Gaya in connection with Barachatti PS Case No. 335 of 2021.

(Anil Kumar Sinha, J)

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