

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52259 of 2021

Arising Out of PS. Case No.-253 Year-2021 Thana- SASARAM MUFFSIL District- Rohtas

1. PRADEEP KUMAR S/O MOHAN BAITHA @ MOHAN RAM R/o village- Dawanpur, P.S.- Sasaram (Muffasil), District- Rohtas (Sasaram) Bihar
2. DINESH KUMAR S/o Tengri Prajapati R/o village- Dawanpur, P.S.- Sasaram (Muffasil), District- Rohtas (Sasaram) Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashwani Kumar Tiwary
For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-04-2022 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek regular bail in connection with Sasaram Mufassil Police Station Case No. 253 of 2021, registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information Report, is that the police, on the basis of secret information that the petitioner, along with other accused persons, has brought the consignment of illicit liquor, proceeded towards the place of occurrence and upon seeing the police, two persons (the petitioners) tried to flee away, however, they were arrested by



the police and on their identification, 1314 litres of illicit liquor has been recovered from the house of co-accused Mohan Baitha, who is the father of petitioner no. 1.

Learned Counsel for the petitioners submits that the petitioners have been implicated in this case merely because the petitioner no. 1 is the son of co-accused Mohan Baitha, from whose room, situated near the dalaan, illicit liquor has been recovered. He next submits that the petitioners are in custody since 10.07.2021, having no criminal antecedent and charge sheet has been submitted against them and as such, there is no likelihood that the petitioners will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties and taking into consideration the materials on record and the fact that charge has already been submitted against the petitioners and they are in custody since 10.07.2021, having no criminal antecedent, I am inclined to grant regular bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, above named, be released on bail, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the



satisfaction of learned 2nd Additional Sessions Judge -cum-
Special Judge, Excise, Rohtas, at Sasaram, in connection with
Sasaram Mufassil Police Station Case No. 253 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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