

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50877 of 2021

Arising Out of PS. Case No.-546 Year-2019 Thana- BARACHATTI District- Gaya

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Sintu Bhuiyan @ Santosh Bhuiyan, Son of Late Prakash Bhuiyan, Resident of
Village - Paitial (Paitila), P.S. - Barachatti, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 30-03-2022 Learned counsel for the petitioner is permitted to

remove defect(s), as pointed out by the office, if any, within a

period of four weeks from today.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner seeks regular bail, who is in custody in

connection with Barachatti P.S. Case No. 546 of 2019 for the

offences under Sections 30(a) and 30(d) of the Bihar Prohibition

and Excise Act, 2016.

The prosecution case is that on secret information, the

police raided the house of the petitioner and from where it is

alleged that 20 litres of country made liquor and 20 Kg Mahua

and utensils were recovered from the house of the petitioner. It

is further alleged that Jawa Mahua and earthen fire place



(Chulha) were also recovered, which were destroyed at the time of seizure.

It is submitted on behalf of the petitioner that the petitioner was not arrested from the place of occurrence and there is complete violation of provision of Section 100 of the Cr.P.C. It is further submitted that nothing was recovered from the conscious possession of the petitioner. The petitioner is languishing in jail since 22.07.2021 and charge-sheet has already been submitted. The petitioner has got clean antecedent.

Having heard the learned counsel for the parties and considering the submissions and the materials available on record, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II-cum-Special Judge, Excise Act, Gaya in connection with Barachatti P.S. Case No. 546 of 2019.

(Harish Kumar, J)

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