

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52258 of 2021**

Arising Out of PS. Case No.-470 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.  
District- Sitamarhi

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ANSHU KUMAR Son of Shashi Bhushan Srivastav Resident of Village -  
Dumarwana Ward No.- 20, P.S.- Bairstania, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Virendra Kumar  
For the Opposite Party/s : Ms.Sharda Kumari

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

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

The petitioner seeks regular bail in connection with  
Case No. C2/470/2020, registered for the offences punishable  
under Section 30(a) of the Bihar Prohibition and Excise Act,  
2016.

The prosecution case, as per the prosecution Report, is  
that the SSB officials arrested two persons, including the  
petitioner and recovered a total quantity of 154.5 litres of illicit  
Nepali Saufi liquor, out of which 39 litres of illicit liquor was  
recovered from the petitioner and the petitioner was arrested at  
the spot.

Learned Counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case merely on suspicion. He further submits that no illicit liquor has been recovered from the conscious possession of the petitioner inasmuch as the illicit liquor has been recovered from the road side, kept in several bags. He further submits that the petitioner is in custody since 30.12.2020, having no criminal antecedent.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner has got no criminal antecedent and he is in custody since 30.12.2020, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned 2<sup>nd</sup> Additional Sessions Judge -cum- Special Judge, Excise, Sitamarhi, in connection with Case No. C2/470/2020.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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