

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64671 of 2021**

Arising Out of PS. Case No.-401 Year-2021 Thana- SAHEBGANJ District- Muzaffarpur

ARUN KUMAR SON OF MISHRI LAL RAY R/O VILLAGE- ASHAPATTI
(PARSAUNI), P.S.- SAHEBGANJ, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 04-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Sahebganj P.S. Case No. 401 of 2021 instituted for the offences
under Sections 272, 273/34 of the Indian Penal Code read with
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner is in custody since 30.08.2021, is a person with clean
antecedent and charge-sheet has been submitted.

Allegation is of recovery of 79.920 litre of liquor.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot and name transpired in
the confessional statement of co-accused Dinesh Kumar which



has no evidentiary value in the eye of law.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted and name of the petitioner transpired in the confessional statement of co-accused, let the petitioner above named be released on bail on furnishing bail bond of Rs.1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Muzaffarpur in connection with Sahebganj P.S. Case No. 401 of 2021.

(Satyavrat Verma, J)

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