

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65357 of 2021

Arising Out of PS. Case No.-288 Year-2021 Thana- BHAGWAN BAZAR District- Saran

CHANDAN RAI S/o Jawahir Rai R/o village- Ajayabganj, P.S.- Bhagwan Bazar, District- Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Akbar Ali, 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 Bhagwan Bazar P.S. Case No. 288 of 2021 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that the petitioner is in custody since 17.08.2021 and charge-sheet has been submitted.

Total recovery of liquor is 340 litre out of which 220 litre of liquor is alleged to have been recovered from the orchard of the petitioner.

Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the present case as the orchard does not belong to the petitioner and it is an open place. Anyone can keep the liquor with a view to conceal the same.

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, charge-sheet has been submitted and the orchard from where liquor is alleged to have been recovered does not belong to the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Saran in connection with Bhagwan Bazar P.S. Case No. 288 of 2021.

(Satyavrat Verma, J)

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