

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 57026 of 2022

Arising Out of PS. Case No.-291 Year-2022 Thana- PALIGANJ District- Patna

Shankar Prasad S/O Late Buttan Sao @ Butan Saw Resident of village- Milki,
P.S.- Paliganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Sharma, Adv.

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Paliganj P.S. Case No. 291 of 2022 lodged under Sections
30(a)/33/35/36/41(1) of the Bihar Prohibition and Excise Act and
under Sections 3/5/13 of Mahua Flowers Act, 2006.

As per the prosecution case, total recovery of 180.75
liter of foreign wine, 130 kg of *java mahua* and 400 kg *gud* has
been made, which is subject matter of the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that petitioner is in custody since 11.07.2022 having

clean antecedent. Charge-sheet has already been filed in this case. Learned counsel for the petitioner submits that petitioner was not apprehended from the place of occurrence. Learned counsel for the petitioner submits that the other co-accused persons have been granted bail on 21.10.2022 passed Cr. Misc. No. 55715 of 2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge Danapur (Patna) in Special Excise case no. 1042 of 2022, in connection with Paliganj P.S. Case No. 291 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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