

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69232 of 2021

Arising Out of PS. Case No.-510 Year-2020 Thana- SIRDALA District- Nawada

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VIJAY DAS S/o Govind Das Resident of Village - Hemja Bharat, P.S. -
Sirdalla, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Sirdala Police Station Case No. 510 of 2020, registered for the
offences punishable under Section 30 (a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information
Report, is that the police, on the basis of secret information,
raided the place of occurrence and on seeing the police five
accused persons succeeded in fleeing away and the police
recovered 3000 litres of fermented mahua, kept in 22 ditches.
The local Chowkidar disclosed the names of the accused
persons, including the petitioner.

Learned Counsel for the petitioner submits that the



petitioner has falsely been implicated in this case on the disclosure of his name by the local Chowkidar and he has not committed any offence in the manner alleged. He further submits that no illicit liquor has been recovered from the conscious possession of the petitioner and/or premises belonging to him and similarly situated co-accused Kamta Rajbanshi has been granted bail by co-ordinate Bench of this Court, vide order, dated 23.12.2021, passed in Criminal Misc. No. 36064 of 2021. He further submits that the petitioner is in custody since 23.07.2021 and charge sheet has already been submitted against him and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that similarly situated co-accused person has been granted bail by this Court, charge sheet has already been submitted and the petitioner is in custody since 23.07.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the



satisfaction of learned 2nd Additional Sessions Judge -cum-
Special Judge, Excise, Nawada, in connection with Sirdala
Police Station Case No. 510 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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