

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69778 of 2021

Arising Out of PS. Case No.-473 Year-2021 Thana- SHASTRINAGAR District- Patna

GUDDU KUMAR Son of Siya Sharan Paswan Resident of Mourya Path
Mushahari, P.S.- Shastrinagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhoy Kumar Kashyap
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-05-2022 Heard the parties.

Petitioner seeks regular bail in connection with Shastri Nagar PS Case No. 473 of 2021 instituted for the offence under section 30 (a) / 30 (c) / 32 (a) / 36 of the Bihar Prohibition and Excise Amendment Act, 2018.

100 liters of illicit Mahua liquor has been recovered from behind the house of the petitioner.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case by the police with oblique motive. Learned counsel next submits that illicit *Mahua* liquor has been recovered from behind the house of the petitioner, which is an open space and accessible to all and sundry. Learned counsel next submits that during search and



seizure procedures prescribed under Section 100 of the Cr.P.C. and the Excise Act have not been followed. Learned counsel next submits that petitioner has clean antecedent, he is in custody since 04/10/2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence if released on bail.

Regard being to the submissions made by the parties, taking into consideration the fact that petitioner is having clean antecedent, he is in custody since 04-10-2021, charge sheet has already been submitted and there is no likelihood that petitioner will abscond or tamper with the evidence, as such, I am inclined to grant regular bail to the petitioner .

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Shastri Nagar PS Case No. 473 of 2021 and Special Case No. 6361 of 2021.

(Anil Kumar Sinha, J)

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