

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13276 of 2023

Arising Out of PS. Case No.-145 Year-2022 Thana- PIRI BAZAR District- Lakhisarai

ANIL SADA S/O Bhaso Sada R/V- Bariarpur Mushari, P.S.- Piri Bazar,
District- Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Narsingh Tanti, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 05-05-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Piri Bazar P.S. Case No. 145 of 2022, dated 12.10.2022
registered for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act.

3. The main submissions advanced by petitioner's
counsel are that as per the prosecution's allegation 35 litres of
country-made liquor is stated to have been recovered from the
house of this petitioner but the petitioner was not arrested with
the said wine when the alleged recovery was made and as per
seizure list the said recovery was made before two official
witnesses and accordingly there is no independent witness of the
alleged recovery of wine. Further submissions are that against



the petitioner, there are criminal antecedents of two cases, out of them he has got bail in one case and his bail petition is pending in respect of the second case and against the petitioner investigation has been completed and he has been languishing in jail since 21.10.2022.

4. Learned APP appearing for the State has opposed the prayer for bail.

5. Considering the above submissions and mainly completion of investigation against the petitioner, his custody period and also the fact that the alleged recovery of wine is stated to have been made before two police personnel, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Piri Bazar P.S. Case No. 145 of 2022.

(Shailendra Singh, J.)

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