

In the Court of Addl.District & Sessions Judge-II, Gopalganj

Excise Case No. 90/2020

O r d e r

05-05-2020

Bail petition dated 04-05-2020 filed on behalf of the petitioner Sujit Kumar, who is in custody since 20-03-2020 in connection with Excise Case No. 90/2020 U/s 30(a) of Bihar Prohibition and Amendment Excise Act 2018 has been pressed today.

Learned counsel for the petitioner submits through video conferencing that the petitioner is innocent and has not committed any offence. No bail petition either anticipatory or regular on behalf of the petitioner has been filed, rejected or pending either before this Court or before any other superior Court except this one. Learned counsel further submits that petitioner has no concern with the seized wine and motorcycle and petitioner is in judicial custody since 20-03-2020 and prayed for bail.

On the other hand learned Spl. P.P. opposed the prayer for bail of the petitioner.

As per prosecution report, the informant Ranjan Prasad Excise Inspector has reported that on 19-03-2020, he received a secret information that some persons are bringing illegal wine with motorcycle from U.P. side. On the basis of said secret information, the informant along with other police forces reached at Natawa bridge Deurawa Nawkatola and started watching the said motorcycle, in the meantime one Bajaj Pulser motorcycle without number plate was stopped for checking. In presence of three witnesses search was started, total 54.00 litre illegal wine have been recovered which was kept in the sack. Accused Sujit Kumar was arrested on spot. A seizurelist was prepared in this regard and copy of the seizure-list was handed over to the arrested accused Sujit Kumar.

Heard both sides through video conferencing and perused the case record as well as seizurelist. From perusal of seizure-list it appears that total 54.00 litre illegal wine have been recovered from the seized Bajaj Pulser motorcycle without number plate. The petitioner was arrested on spot.

In the above facts & circumstances and keeping in view the quantity of recovered illegal wine, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner stands rejected. (Dictated)

A.D.J.II