

Present :- **Sh. Parmeshwar Prasad Singh**, Advocate for accused
Sh. Ram Lakhan Rai, Special Public Prosecutor – Excise.

1. This is a regular bail petition filed by Sanjeev Singh @ Bauku Singh son of Ranveer Singh, resident of village Bahadurpur, Dihauri Gali, Ward no. 27, booked in Samastipur Town PS Case no. 67 of 2021, Distt. Samastipur, registered under section 272, 273 IPC & 30 (a) of the Bihar Prohibition and Excise Act, 2016, who is confined in jail since 20.03.2021.
2. Case is instituted by the police upon a gravamen with the allegations that upon search in the house of Sanjeev Singh @ Bauku Singh son of Ranveer Singh 8.625 ltrs. illegal liquor in 23 bottles was recovered and seized. The accused/ petitioner succeeded in fleeing.
3. Learned counsel for the petitioner in his oral arguments reiterated the contents of the bail petition, wherein it is submitted that the petitioner has falsely been implicated in this case; that nothing has been recovered from conscious possession or place of the petitioner.
4. On the other hand learned Special Public Prosecutor submitted that two bail applications in this case i.e. one of Yashwant Kumar Singh and Pashupati Thakur have already been dismissed by this court vide order dated 14.10.2020 and 15.10.2020 respectively. Learned Special Public Prosecutor then prayed for rejection of bail application.
5. Heard rival submissions and perused the record.
6. Firstly, so far as the rejection of bail petitions of Yashwant Kumar Singh and Pashupati Thakur is concerned in this case, the

Contd... at page 2

//2//

police conducted raid at various places. The allegations of recovery of liquor against Yashwant Kumar Singh and Pashupati Thakur was that of huge quantity and this accused/ petitioner was allegedly having 8.625 ltrs. of liquor, therefore, there is no similarity between the cases of Yashwant Kumar Singh, Pashupati Thakur on the one hand and that of the petitioner on the other hand; hence, this plea of Special Public Prosecutor is not sustainable. Further, the accused/ petitioner is in custody since 20.03.2021 and therefore, Keeping in view the period of custody of the petitioner, quantity of liquor recovered, this court is well disposed with the submissions of learned counsel for the petitioner, resultantly the bail petition is allowed and the accused/ petitioner is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/- with two sureties in the like amount. The petitioner shall also furnish an undertaking that he shall appear on each and every date of the trial and will not cause delay in trial by remaining absent.

Dated 15.04.2021

Satya Bhushan Arya

**2nd ADJ-cum-Special Judge, Excise Act
Samastipur.**