

Rosera PS Case no. 216 of 2020

Reg. no. 700/2020

Present :- **Sh. Wishva Vijay Kumar**, Advocate for accused
Sh. Ram Lakhan Rai, Special Public Prosecutor – Excise.

1. This regular bail application is filed by Pashupati Thakur son of Ajay Thakur, resident of village Muradpur, PS Rosera, District Samastipur, in Rosera PS Case no. 216 of 2020, registered under section 272, 273/34 of IPC & 30(a) of the Bihar Prohibition and Excise Act, 2016.

2. Case is instituted by the police with the allegations that upon a secret information; a raid was conducted at the house of one Dr. Laxmi Narayan Singh, from where 473 bottles of 375 ml each of illegal liquor were recovered and seized. It is alleged in para no. 76 of the Case Diary that in the investigation it transpired that the said Dr. Laxmi Narayan Singh is residing somewhere else out of village. And the said house is taken care of by Yaswant Kumar Singh @ Munni Lal, who is residing 25-30 mtr. away from the said house. The said liquor is stored by Yaswant Kumar Singh and his aides including the petitioner.

3. Learned counsel for the petitioner submitted that the petitioner has no connection or nexus of any kind with alleged liquor nor with the place of recovery. He further submitted that the petitioner has falsely been implicated in this case for village rivalry. On the other hand learned Special Public Prosecutor submitted that the case is still at its initial stage of the investigation. He further submitted that a big gang of bootleggers is actively involved in this case. Learned

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Special Public Prosecutor further submitted that there is every likelihood of affecting the investigation by the petitioner, if he is released on bail.

4. Heard rival submissions and perused the record. There are specific allegations of bootlegging against the petitioner, the huge quantity of illegal liquor is involved in this case and the case is still at its initial stage, therefore, this court is well disposed with the submissions of learned Special PP; resultantly, the bail petition is dismissed.

Dated 15.12.2020

Satya Bhushan Arya
2nd Additional Sessions Judge
-cum-Special Judge, Excise Act
Samastipur.