

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72544 of 2019

Arising Out of PS. Case No.-210 Year-2019 Thana- BYPASS District- Patna

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Mahavir Singh @ Mahavir Prasad, Son of Ram Prasad Singh Resident of
Village - Basbariya Tola, P.S.- Nagar Sitamarhi, District - Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner seeks regular bail in connection with
Special Case No.6962 of 2019, arising out of By-pass P.S. Case
No.210 of 2019, for the offence punishable under Section 30(a)
of the Bihar Prohibition & Excise Act, 2016.

The allegation against the petitioner is that the tempo
of the petitioner was intercepted by the police and a total
quantity of 170 litres of illicit liquor has been recovered from
the tempo of the petitioner.

Mr. Ashok Kumar, learned counsel for the petitioner
submits that the petitioner has falsely been implicated in this
case inasmuch the petitioner is the owner as well as driver of the
tempo and he drives the tempo in the city of Patna which was



booked by some persons who boarded the tempo of the petitioner along with some bags from where illicit liquor was kept without the knowledge of the petitioner. Learned counsel further submits that police with oblique motive did not take any action against the passengers who were carrying the bag and has remanded the petitioner in judicial custody who is in custody since 04.08.2019.

Having regard to the submissions made by the parties and taking into consideration the fact that the petitioner has got no criminal antecedent and he is in custody since 04.08.2019, I am inclined to grant regular bail to the petitioner. Accordingly, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna, in connection with Special Case No.6962 of 2019, arising out of By-pass P.S. Case No.210 of 2019.

(Anil Kumar Sinha, J)

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