

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5181 of 2020

Arising Out of PS. Case No.-44 Year-2019 Thana- MOKAMAH District- Patna

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KUNDAN KUMAR @ KUNDAN SINGH Son of Krishnanadan Singh @
Kishore Singh Resident of Village-Barahpur, P.S.-Mokama, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar
For the Opposite Party/s : Mr.Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-01-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Special Case No. 2500 of 2019 arising out of Mokama P.S.
Case No. 44 of 2019, registered for the offence punishable
under Section 30(a) of the Bihar Excise Act, 2018.

The allegation is regarding recovery of 1314 liters
of illicit liquor from a pickup van.

The learned counsel for the petitioner has submitted that
the petitioner has been falsely implicated in the present case
and he is having a clean antecedent. It is further submitted
that the pickup van in question does not belong to the
petitioner and no recovery of illicit liquor has been made
from the conscious possession of the petitioner. It is further



submitted that similarly situated co-accused person has already been granted regular bail by a coordinate Bench of this Court vide order dated 21.10.2019 passed in Criminal Miscellaneous No. 60167 of 2019. The petitioner is stated to be languishing in custody since 4.12.2019.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, coupled with the fact that the pickup van in question from which the illicit liquor has been recovered is stated not to be belonging to the petitioner as also considering the parity of the case of the petitioner with that of the co-accused person, who has already been granted bail by the coordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Patna in connection with Special Case No. 2500 of 2019 arising out of Mokama P.S.Case No. 44 of 2019.

(Mohit Kumar Shah, J)

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