

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10380 of 2020

Arising Out of PS. Case No.-204 Year-2019 Thana- SAHAR District- Bhojpur

=====

Pramod Kumar S/o Chandeshwar Singh Yadav R/o Mohalla-House No.23A,
Station Road, P.S.-Ara Nawada, District-Bhojpur. Petitioner/s

Versus

The State of Bihar Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rina Sinha

For the Opposite Party/s : Mr.Syed Mojibur Rahman

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 13-05-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner who is in custody since 16.01.2020 has
filed this application for grant of bail in connection with Excise
Case No. 1561 of 2019 arising out of Sahar P.S. Case No. 204 of
2019 registered under section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The allegation as per FIR is that on secret information
having been received of liquor being carried in a Bolero vehicle,
checking vehicles started. The vehicle in question made an
attempt to escape. On being chased, the driver of the vehicle as
also two other persons abandoned the vehicle and managed to
escape. On search, 108 litres of IMFL was recovered from the
said vehicle.

It is submitted by learned counsel for the petitioner
that neither the petitioner was arrested at the place of occurrence



nor any incriminating article has been recovered from his possession. He has no concern either with the seized vehicle or with the seized liquor. The only allegation against him which has come in course of investigation is that he was one of the persons who had escaped from the vehicle. He has no criminal antecedent and he is in custody since 16.01.2020.

The application for bail is opposed by the learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case including the petitioner having no criminal antecedent, no recovery having taken place from him and his being in custody since 16.01.2020, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Excise Case No. 1561 of 2019 arising out of Sahar P.S. Case No. 204 of 2019 on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned 4th Additional Sessions Judge-cum-Special Judge, Excise Act, Bhojpur at Ara.

(Partha Sarthy, J)

sushma/-

U			
---	--	--	--

