

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15978 of 2020**

Arising Out of PS. Case No.-2 Year-2020 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Juned Khan @ Junaid Khan Son of Akub Khan @ Akub Khana Resident of
Village - Manpur, Parwej Khan Tola, P.S.- Khaira, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mrs.Veena Rani Prasad

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

3 12-06-2020 The matter has been taken up through virtual court
proceeding.

Heard learned counsel for the petitioner and the State.

The petitioner, who is languishing in custody since
03.01.2020, has preferred the present application for grant of
bail in a case registered for the offences punishable under
Sections 272, 273 and 120B of the IPC, 1860 and Section 30(a)
of the Bihar Prohibition and Excise Act, 2016, as amended by
Amendment Act 8 of 2018.

The prosecution case, as per the self statement of
Subodh Kumar, S.I.-cum-S.H.O., Manjhaul O.P., recorded on
02.01.2020 at 3.15 A.M., is to the effect that on 01.01.2020 at
about 11.05 P.M., a confidential information was received that



in front of Vikash Sweet Palace, a truck, loaded with illicit liquor, is parked, consequently raid was laid, from the truck 3887.64 litres of Indian Made Foreign Liquor were recovered and the petitioner being the driver of the truck, was apprehended from the truck in question.

It is submitted by learned counsel for the petitioner that the petitioner was not aware about the consignment of the liquor loaded in the truck. The investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner was the driver of the truck from which recovery has been made.

Considering the fact that investigation has already been concluded, period under custody and the petitioner is not having any criminal antecedent, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise, Begusarai in connection with Cheriabariyarpur (Manjhaul) P.S. Case No. 02 of 2020.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail



bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Begusarai in connection with Cheriabariyarpur (Manjhaul) P.S. Case No. 02 of 2020.

The learned Court below will be at liberty to extend the period of provisional bail further if the court proceeding in physical mode will not resume in next three months.

(Dinesh Kumar Singh, J)

Amrendra/-

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