

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19398 of 2020

Arising Out of PS. Case No.-6 Year-2020 Thana- SIWAIPATTI District- Muzaffarpur

MADAN KUMAR S/o Kapal Sah @ Kapildeo Sah Resident of Village-
Banghara Ghasaul, P.S.- Siwaipatti, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Kumari Sujata Sinha

For the Opposite Party/s : Mr.D.P. Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-06-2020 Learned Counsel for the petitioner is directed to
remove all the defects, as pointed out by the Stamp Reporter,
within a period of eight weeks from today.

Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through video
conferencing.

The petitioner seeks regular bail in connection with
Siwaipatti Police Station Case No. 06 of 2020, registered for the
offences punishable under Sections 272/273/34 of the Indian
Penal Code and Section 30 (a) of the Bihar Prohibition and
Excise Act, 2016.

The allegation against the petitioner is that the sweet
shop of one Rajesh Kumar was raided by the police and two
persons tried to flee away. The police arrested the said two



persons, namely, Rajesh Kumar and the petitioner, and from the pocket of Rajesh Kumar, the key of one alto car and one mobile phone was recovered and from the sweet shop and the alto car, parked behind the sweet shop, 146.80 litres of illicit liquor was recovered.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged. She further submits that the sweet shop does not belong to the petitioner and the petitioner is also not the owner of the alto car, in question. She further submits that nothing has been recovered from the conscious possession or the vehicle belonging to the petitioner. She also submits that co-accused Rajesh Kumar has been granted bail by this court by order passed in Criminal Misc. No. 19280 of 2020 and the petitioner is in judicial custody since 01.02.2020.

After having heard learned Counsel for the parties and taking into consideration the facts that no illicit liquor has been recovered from the conscious possession or the vehicle belonging to the petitioner, co-accused has been granted bail by this court and the petitioner is in judicial custody since 01.02.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur, in connection with Siwaipatti Police Station Case No. 06 of 2020.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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