

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18351 of 2020

Arising Out of PS. Case No.-3 Year-2020 Thana- BANIAPUR District- Saran

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BALA RAY S/o Late Shila Ray R/o Village-Amaw, P.S.-Baniyapur, District-
Chapra, Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Dhananjay Mishra
For the Opposite Party/s :	Mr.Dinesh Singh
	Ms. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing lock-down on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Ms. Anita Kumari Singh, the learned APP appearing for the State.

The petitioner seeks regular bail in connection with Baniyapur P.S. Case No. 3 of 2020, registered for the offence punishable under Sections 30(a)/37(c) of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 400 liters of illicit country made wine from a pickup van and the petitioner is



stated to have been arrested from the spot, who is stated to be the driver of the said pickup van.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 4.1.2020. It is further submitted that the petitioner is only the driver of the pick-up van and he has got nothing to do with the illicit liquor, which might have been loaded by the owner of the pick-up van.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case and considering the aforesaid submissions made by the learned counsel for the petitioner as also taking into account the fact that the petitioner is having a clean antecedent, 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 2nd Additional Sessions Judge cum Special Judge, Excise, Saran at Chapra in connection with



Baniyapur P.S.Case No. 3 of 2020.

(Mohit Kumar Shah, J)

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