

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18725 of 2020

Arising Out of PS. Case No.-93 Year-2020 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Mukesh Kumar, S/o Amarnath Mahto Resident of Village- Vikrampur Bande,
P.S.- Mufassil, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-05-2020 Heard Mr. Lakshmindra Kumar Yadav, learned counsel

for the petitioner and Mr. Nawal Kishore Prasad, learned counsel

appearing for the State, through video conferencing.

The petitioner seeks regular bail in connection with
Muffasil P.S. Case No. 93 of 2020, registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

The allegation against the petitioner is that police
intercepted a pick up van and recovered a total quantity of 449.280
litres of illicit liquor. The alleged pick up van was being driven by
the petitioner.

Learned counsel for the petitioner submits that petitioner
is innocent and he was driving the vehicle at the instance of co-
accused Mani @ Subodh Chaurasia. Learned counsel further
submits that petitioner was not aware about the fact that the illicit



liquor was loaded in the pick-up van by owner of the vehicle. It has further been submitted that petitioner is not the owner of the vehicle and the vehicle was being driven by him at the time of search and seizure. Learned counsel further submits that petitioner has got no criminal antecedent and he is in custody since 26.02.2020.

Having heard learned counsel for the parties and taking into consideration the fact that petitioner is not the owner of the vehicle and the vehicle was being driven by him as a driver, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-IIInd-cum-Spl. Judge, Excise, Samastipur, in connection with Muffasil P.S. Case No. 93 of 2020.

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

(Anil Kumar Sinha, J)

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