

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18742 of 2020**

Arising Out of PS. Case No.-54 Year-2020 Thana- NAWADA District- Nawada

CHANDAN KUMAR S/O Late Kalicharan Gupta Resident of Village - Pachu
More, P.S. - Hisua, District - Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad
For the Opposite Party/s : Mr.Md. Fahimuddin

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 13-05-2020 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
Nawada Police Station Case No. 54 of 2020, registered for the
offence punishable under Section 30 (a) of the Bihar Prohibition
and Excise Act, 2016.

The allegation against the petitioner, on the basis of
the written report submitted by the ASI, Nawada Police Station,
is that on 15/16.01.2020, at about 3 AM, while he was on
patrolling duty, he saw one Tata Indigo car standing near the
Mirzapur Railway Crossing and four persons were also standing
there and on seeing the police party, they tried to flee away, but
one of them was apprehended by the police, who disclosed his



name as Chandan Kumar and the names of the other co-accused persons, who fled away, as Pintu Yadav, Badal and Sonu and further disclosed that they used to bring illicit liquor for the purpose of selling the same in the market.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case inasmuch as the petitioner was just standing near the car, in question and he is a labourer, hired by the other co-accused persons for the purpose of unloading the articles from the car in question. He further submits that the petitioner is not the owner of the car in question. He further submits that the petitioner has got no criminal antecedent and he is in custody since 17.01.2020.

After having heard learned Counsel for the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession of the petitioner and the petitioner is not the owner of the car in question and he is in custody since 17.01.2020, having no criminal antecedent, 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 2nd Additional Sessions Judge



-cum- Special Judge (Excise), Nawada, in connection with
Nawada Police Station Case No. 54 of 2020.

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

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

