

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18842 of 2020

Arising Out of PS. Case No.-85 Year-2020 Thana- AMARPUR District- Banka

1. Narayan Mandal (Male) , aged about 55 years, Son of Late Khoka Mandal Resident of Village - Mansarpur, P.S.- Amarpur, District - Banka.
2. Md. Bablu Khan @ Salauddin Khan (Male), aged about 45 years, Son of Kapil Khan, Resident of Village - Sangrampur, P.S.- Amarpur, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Opposite Party/s : A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-05-2020 Heard Mr. Md. Najmul Hodda, learned counsel for the petitioners and learned counsel appearing for the State through video conferencing.

Petitioners seek regular bail in connection with Amarpur P.S. Case No. 85 of 2020 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioners is that the Police intercepted a tempo and upon seeing the Police, one person tried to flee away, but was apprehended by the Police along with two other accused, who were sitting inside the tempo, who disclosed



their name as Narayan Mandal and Md. Bablu Khan i.e. the petitioners. A total quantity of 69 $\frac{1}{4}$ liters of illicit liquor has allegedly been recovered from the petitioners.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case, having no criminal antecedent. Learned counsel referring to paragraph no. 7 of the bail application submits that petitioners are not the owner of the tempo in question and they were *bona fide* passengers of the tempo and were going towards the village- Amarpur.

Having heard learned counsel for the parties and taking into consideration the fact that petitioners are not the owners of the tempo from which illicit liquor has been recovered and they are in custody since 12.02.2020 having no criminal antecedent, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District Judge- II, Banka, in connection with Amarpur P.S. Case No. 85 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)

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