

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19624 of 2020
Arising Out of PS. Case No.-146 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Kaimur (Bhabua)

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SANTOSH KUMAR RAI Son of Late Gyanchand Rai Resident of Village -
Gayghat, P.S.- Semri, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Usha Kumari Singh
For the Opposite Party/s : Mr. Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-06-2020 The present petition has been taken up for

consideration through the mode of Video conferencing in

view of the prevailing situation on account of COVID 19

Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Sri Ashok
Kumar, the learned APP appearing for the State.

The petitioner seeks regular bail in connection with
Special Case No. 146 of 2020 (arising out of P.R. (Mohania
Circle) No. 40 of 2019-20), registered for the offence punishable
under Sections 30(a) of the Bihar Prohibition Excise Amendment
Act.

The allegation is regarding recovery of 51.435 liters of
illicit liquor from dicky of a Maruti Suzuki vehicle and the



petitioner is stated to be the driver of the said vehicle.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 12.2.2020. It is further submitted that the petitioner is merely the driver of the vehicle in question, hence, he cannot be saddled with the liability of the illicit liquor recovered from the vehicle.

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, considering the submissions made by the leaned counsel for the petitioner and taking into account the fact that the petitioner is the driver of the vehicle in question and he 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 Additional Sessions Judge 3rd cum Special Judge (Excise) Act, Kaimur at Bhabhua in connection with Special Case No. 146 of 2020 (arising out of P.R. (Mohania



Circle) No. 40 of 2019-20).

(Mohit Kumar Shah, J)

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