

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21937 of 2020

Arising Out of PS. Case No.-116 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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VINOD KUMAR SINGH @ BABLU SINGH Son of Ram Chandra Singh
Resident of Village - Beerpur, P.S. - Beerpur, Dist. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-07-2020 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 Mr. Kalyan Singh, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with Begusarai Muffasil P.S. Case No. 116 of 2020 for the offence punishable under sections 120(B) of the Indian Penal Code and Sections 30(a)/ 32 and 41(i) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 2654.385 litres of illicit foreign liquor from a Bolero pick-up van.



The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case and is languishing in custody since 05.03.2020. It is further submitted that though the petitioner is accused in one other case, however, he is on bail in the said case. Lastly, it is submitted that the petitioner is neither the driver nor the owner of the bolero vehicle in question, he has been falsely implicated in the present case and at best he can be said to be a passer-by. At this juncture, the learned counsel for the petitioner has further submitted that similarly situated co-accused person has already been granted the privilege of regular bail by a co-ordinate Bench of this Court vide order dated 30.06.2020 passed in Cr. Misc. No.21164 of 2020.

The learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the petitioner and taking into account the period of incarceration of the petitioner herein as also the fact that the petitioner is stated to be neither the owner of the vehicle in question nor the owner of the illicit liquor in question, as has been stated in paragraph no.10 of the present petition, I deem it



fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above-named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II cum Special Judge, Excise Act, Begusarai in connection with Begusarai Muffasil P.S. Case No. 116 of 2020.

(Mohit Kumar Shah, J)

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