

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23778 of 2020

Arising Out of PS. Case No.-34 Year-2020 Thana- KIUL District- Lakhisarai

1. BIPIN KUMAR Son of Vijay Koda Resident of Village-Shri Kishun Kodasi, Police Station-Kajra, District-Lakhisarai.
2. Pawan Koda Son of Moti Koda Resident of Village - Lathiya Kodasai, Police Station - Piri Bazar, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Adv

For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-09-2020 Heard Mr. Nafisuzzoha, learned counsel for the petitioners and Braj Kishore Prasad, Additional Public Prosecutor for the state through video conferencing.

2. Petitioners seek regular bail in connection with Kiul PS Case No. 34/2020 registered for the offence punishable under Sections 272/273 of the IPC and 30(a) of Bihar Prohibition & Excise Amendment Act 2018.

3. The allegation against the petitioners as per First Information Report is that the police intercepted the motorcycle on which the petitioners were travelling and recovered total quantity of 68 litres of illicit liquor.

4. Learned counsel for the petitioner submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case with oblique motive. Learned counsel further submits that the police



has not followed the procedure as prescribed under Section 100 CrPC at the time of seizure.

5. Learned counsel for the petitioners further submits that petitioners have got no criminal antecedents and are in custody since 08.03.2020.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioners are in custody since 08.03.2020, I am inclined to grant regular bail to the petitioners.

7. Accordingly, let the petitioners, namely, BIPIN KUMAR and PAWAN KODA be released on bail, if he is not required in any other case, on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-Lakhisarai in connection with Kiul PS Case No. 34 of 2020.

9. 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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