

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24422 of 2020

Arising Out of PS. Case No.-207 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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SUNIL SAH S/O Late Kailash Sah Resident of Village - Fatehpur Ward No. 4, P.S. - Sonbarsa, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s : Md. Matloob Rab, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-09-2020 Heard Mr. Ashok Kumar Jha, learned counsel for the petitioner and Md. Matloob Rab, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Complaint Case No. C2-207 of 2020 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution story, one three wheeler (tempo) bearing registration No. BR-30-P-3940 was intercepted by the SSB personnel and recovered a total quantity of 342 litres of Nepali Saufi from the same.



Learned counsel for the petitioner submits that petitioner is not the owner of the tempo in question and referring to paragraph-6 of this petition he submits that the petitioner was a *bona fide* passenger of three wheeler which was intercepted by the Police. Driver along with other passengers of the three wheeler fled away, but petitioner was arrested by the Police. Learned counsel further submits that the petitioner has got no criminal antecedent and he is in custody since 24.03.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that the petitioner, having clean antecedent, is in custody since 24.03.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned ADJ II cum Special Judge, Excise Act, Sitamarhi, in connection with Complaint Case No. C2-207 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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