

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24397 of 2020

Arising Out of PS. Case No.-100 Year-2020 Thana- MOTIHARI MUFASIL District- East
Champaran

=====

VIKASH SAH Son of Sita Ram Sah Resident of Village- Kaswa Pataura,
P.S.- Muffasil, Motihari, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 28-09-2020 Heard Mr. Dhurendra Kumar, learned counsel for the

petitioner and Dr. Indihar Kumari, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with

Muffasil P.S. Case No. 100 of 2020 registered for the offences

punishable under Sections 272, 273, 34 of the Indian Penal

Code 1860 and Section 30(a) of the Bihar Prohibition and

Excise Act, 2016.

Allegation against the petitioner is that the Police

intercepted one Tata Mazic pick up van and recovered a total

quantity of 385.920 litres of illicit foreign liquor from the same.

It has further been alleged that upon seeing the Police party, the

persons sitting inside the vehicle succeeded in fleeing away. The



name of the petitioner has been disclosed by the local Choukidar.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has got no criminal antecedent. Learned counsel referring to supplementary affidavit submits that petitioner is not the owner of the pick-up van and no illicit liquor has been recovered from his conscious possession. Petitioner is in custody since 07.03.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and also the fact that petitioner has got no criminal antecedent and he is in custody since 07.03.2020, 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 Additional Sessions Judge 9th cum Special Judge, Excise, East Champaran, Motihari, in connection with Muffasil P.S. Case No. 100 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)

S.Ali/-

U		T	
---	--	---	--

