

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26477 of 2020

Arising Out of PS. Case No.-264 Year-2020 Thana- KANTI THARMAL POWER District-
Muzaffarpur

ANIL KUMAR S/o Late Sahdeo Prasad Resident of Village-Chakjamal, P.S.-
Minapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Adv.

For the Opposite Party/s : Mr. Jai Narayan Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 12-10-2020 Heard Mr. Devendra Prasad Singh, learned counsel
for the petitioner and Mr. Jai Narayan Thakur, Additional Public
Prosecutor for the state through video conferencing.

Petitioner seeks regular bail in connection with Kanti
PS Case No. 264/2020 registered for the offence punishable
under Sections 30(a) of Bihar Prohibition & Excise Act 2016.

The allegation against the petitioner, as per First
Information Report, is that the police on the basis of
confidential information proceeded towards the place of
occurrence and upon seeing the police party accused persons
started fleeing away. However, petitioner was arrested and the
police found that one white colour Bolero Pick-up Van bearing
registration no. BR05-8987 and one silver colour Wagon-R
bearing registration no. BR06-BL-9592 were standing there.



The police upon search recovered 1198.800 litres of foreign liquor from Bolero Pick-up van and 72 litres from Wagon-R. Altogether 1270.800 litres of foreign liquor was recovered. Petitioner disclosed that he is the driver the Bolero Pick-up van.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he is not the owner of the said vehicle and being the driver, was not aware about the illicit liquor being kept by its owner. Learned counsel further submits that petitioner has got no criminal antecedent and is in custody since 12.05.2020.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner has got no criminal antecedent and is in custody since 12.05.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, ANIL KUMAR be released on bail, if he is not required in any other case, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Kanti PS Case No. 264/2020.

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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