

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23586 of 2020

Arising Out of PS. Case No.-69 Year-2020 Thana- RAJAON District- Banka

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KUNDAN KUMAR S/O Vijay Das @ Vijay Harijan Resident of Village -
Garahel, P.S. - Amarpur, Distt.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan, Adv.
For the Opposite Party/s : Smt. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-09-2020 Heard Mr. Kumar Kamal Nayan, learned counsel for

the petitioner and Smt. Renu Kumari, Additional Public

Prosecutor for the state through video conferencing.

Petitioner seeks regular bail in connection with
Rajaon (Nabada Bazar) PS Case No. 69/2020 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 intercepted a Santro Car
which was being driven by the petitioner from where total
quantity of 90.76 litres of liquor was recovered.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and the procedure prescribed under Section 100 CrPC has not
been followed by the police at the time of seizure. Learned



counsel, referring to paragraph-13 of this application, submits that petitioner is neither the owner of the said vehicle nor its driver. Learned counsel also submits that the owner of the car is also in custody and the petitioner is in custody since 02.03.2020 for about six months.

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

Accordingly, let the petitioner, KUNDAN 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 Additional District & Sessions Judge-II, Banka in connection with (Special Excise-138/2020) Rajoun (Nabada Bazar) PS Case No. 69/2020.

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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