

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23616 of 2020

Arising Out of PS. Case No.-16 Year-2020 Thana- SAHIYARA District- Sitamarhi

SANJAY PASWAN S/O Sita Ram Paswan Resident of Village - Dayan
Chhapra, P.S. - Sahiyara, Dist. - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar
For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-09-2020 Heard Mr. Sanjay Kumar, learned counsel for the
petitioner and Mr. Surendra Kumar, learned Additional Public
Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Sahiyara P.S. Case No. 16 of 2020 registered for the offence
punishable under Section 30, 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The allegation against the petitioner is that Police
intercepted one Tempo vehicle and recovered a total quantity of
90 liters of illicit liquor and arrested the petitioner and one
another accused person- Ravindra Kumar.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case inasmuch as
petitioner is the driver of the tempo vehicle which was hired by
the co-accused Ravidnra Kumar and the illicit liquor has been
recovered from the tempo when the petitioner was driving the
tempo. Learned counsel further submits that petitioner was not



aware about the illicit liquor being kept by the passenger in the tempo. Learned counsel also submits that petitioner has got no criminal antecedent and he is in custody since 26.02.2020.

Having regard to the submissions made by the parties, taking into consideration the material available on record, the fact that petitioner has got no criminal antecedent and he is in custody since 26.02.2020 , I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II cum Special Judge, Excise Act, Sitamarhi / court concerned in connection with Sahiyara P.S. Case No. 16 of 2020.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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