

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21711 of 2020

Arising Out of PS. Case No.-208 Year-2020 Thana- ARARIA District- Araria

MANOJ KUMAR KANTI @ MANOJ KUMAR KAMTI Son of Late
Brihaspati Kamti Resident of Village-Purnia Panchmukhi Hanuman Mandir,
Ward No.22, P.S.-K.Hat, District-Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Praveen
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-07-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID-19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Lalan Kumar, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Special Case No. 302 of 2020, arising out of Araria (Bairgachi) P.S. Case No. 208 of 2020 of for the offence punishable under Sections 30(a) and 38 of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 891 litres of illicit liquor from a truck, hidden in paddy husk loaded on the said truck.



The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and he is having a clean antecedent and languishing in custody since 10.03.2020. It is further submitted that the petitioner is neither the driver nor the owner of the truck in question and had merely taken a lift. Lastly, it is submitted that similarly situated co-accused person has already been granted the privilege of bail by a coordinate Bench of this Court vide order dated 23.06.2020 passed in Criminal Misc. No. 20853 of 2020.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the petitioner is neither the driver nor the owner of the truck in question and in fact the driver of the truck in question has already been granted the privilege of bail by a coordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Araria in connection with Special Case No. 302 of 2020 arising out of Araria (Bairgachi) P.S. Case No. 208 of 2020.

(Mohit Kumar Shah, J)

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