

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26446 of 2020

Arising Out of PS. Case No.-132 Year-2020 Thana- ARA NAGAR District- Bhojpur

1. NAND KISHOR YADAV @ CHHOTU YADAV Son of Dasharath Yadav
Resident of Village- Balua, P.S.- Ara Mufassil, District- Bhojpur.
2. Ram Brat Ram @ Mishra Ji Son of Shanichar Rai @ Maharaj Ji Resident of
Village- Jamira, Police Station- Ara Mufassil, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 12-10-2020 Heard Mr. Shiv Prasad Gupta, learned counsel for the
petitioners and Mr. Nagendra Prasad, learned Additional Public
Prosecutor appearing for the State through video conferencing.

Petitioners seek regular bail in connection with Ara
Nagar P.S. Case No. 132 of 2020 (Excise Case No. 530 of 2020)
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioners as per the First
Information Report is that the Police intercepted a Tata Mazic
Pick-up van and recovered a total quantity of 591.12 litres of
illicit liquor from the same. It has further been alleged that four
persons sitting in the vehicle tried to flee away, but the Police
arrested the petitioners, on chase.



Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and petitioner No. 1 is not the owner of the vehicle in question and is a driver. Learned counsel further submits that petitioner No. 1 was not aware of the material/consignment kept inside the vehicle at the behest of its owner. Learned counsel also submits that petitioner No. 2 had only taken lift in the vehicle in order to reach his relative's house. The petitioners have got no criminal antecedent and they are in custody since 13.03.2020.

Having heard learned counsel for the parties and taking into consideration the materials on record and the fact that the petitioners have got no criminal antecedents and they are in custody since 13.03.2020, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge IVth - cum - Special Judge, Excise, Bhojpur at Ara, in connection with Ara Nagar P.S. Case No. 132 of 2020 (Excise Case No. 530 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)

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