

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26509 of 2020

Arising Out of PS. Case No.-58 Year-2020 Thana- SAHEBPUR KAMAL District- Begusarai

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SURAJ KUMAR S/o Chandradev Sharma @ Chandradev Tanti Resident of
Village- Chhoti Telaunchh, P.S.- Chautham, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr. Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 12-10-2020 Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor representing the State,

through Video Conferencing.

The petitioner seeks regular bail in connection with
Sahebpur Kamal Police Station Case No. 58 of 2020, registered
for the offences punishable under Sections 120-B/224/414/34 of
the Indian Penal Code and Sections 30 (a)/32/27/41(i) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information
Report, is that the police arrived at the place of occurrence and
found that one pick-up van was standing and upon seeing police
party, the persons sitting in the pick-up van started fleeing away
and the police apprehended two persons, including the
petitioner. It has further been alleged that one Jeevan Kumar



subsequently fled away from the custody of the police and upon search, the police recovered 47.280 litres of illicit liquor from the said pick-up van.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged. He further submits that the petitioner is the driver of the pick-up van and the pick-up van belongs to the brother of Jeevan Kumar, who subsequently fled away from the custody of the police. He further submits that the petitioner was not aware of the illicit liquor being kept in the said pick-up van and he is in custody since 29.02.2020.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is in judicial custody since 29.02.2020, I am inclined to grant regular bail to the petitioner.

This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II -cum-Special Judge, Excise, Begusarai, in connection with Sahebpur Kamal Police Station Case No. 58 of 2020.



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

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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