

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26578 of 2020

Arising Out of PS. Case No.-75 Year-2020 Thana- TARARI District- Bhojpur

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MANTU PASWAN @ MANTU KUMAR Son of - Hira Lal Paswan Resident
of Village - Dhangawa, P.S. - Tarari, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Krishna, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-10-2020 Heard Mr. Gopal Krishna, learned counsel for the

petitioner and Mr. Nirmal Kumar Sinha, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with Excise

Case No. 671 of 2020 arising out of Tarari P.S. Case No. 75 of

2020 registered for the offence punishable under Section 30 (a)

of Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation against the petitioner as per the First

Information Report is that the Police intercepted two

Motorcycles, on which, five persons were found sitting and

upon seeing the Police party, all the accused persons tried to flee

away. However, the Police apprehended two of the accused

persons namely, Bheem Kumar and Tengar Rajwar and



recovered a total quantity of 60 litres of illicit *Mahua* liquor from a sack. The name of petitioner has been disclosed by arrested co-accused persons. Learned counsel further submits that the petitioner has not committed any offence in the manner alleged and he has got no criminal antecedent. Learned counsel also submits that no illicit liquor has been recovered from possession of the petitioner and the Motorcycle in question does not belong to him. Learned counsel next submits that the arrested co-accused persons have been granted regular bail by co-ordinate Benches of this Court vide orders dated 17.09.2020 and 01.10.2020 passed in Cr. Misc. Nos. 24008 of 2020 and 24944 of 2020 respectively. The petitioner is in custody since 03.05.2020.

Having heard learned counsel for the parties and taking into consideration the materials on record and the the fact that the petitioner has got no criminal antecedent and the arrested co-accused persons have been granted regular bail by co-ordinate Benches of this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Sessions Judge-4th-cum-Special Judge (Excise) Act, Bhojpur at Ara, in connection with Excise Case No. 671 of 2020 arising out of Tarari P.S. Case No. 75 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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