

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26592 of 2020

Arising Out of PS. Case No.-135 Year-2020 Thana- BYPASS District- Patna

AKHILESH KUMAR @ AKLESH KUMAR Son of Upendra Ray Resident
of Village - Hanuman Chak, Naya Tola, P.S.- Nadi, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-10-2020 Heard Mr. Jay Ram Prasad, learned counsel for the
petitioner and Mr. Anand Kishore Choudhary, learned
Additional Public Prosecutor appearing for the State through
video conferencing.

Petitioner seeks regular bail in connection with
Special Case No. 3324 of 2020 arising out of Bypass P.S. Case
No. 135 of 2020 registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2018.

The allegation against the petitioner as per the First
Information Report is that the Police intercepted one Maruti
Car and recovered a total quantity of 120 litres of illicit country
made *Mahua* liquor from the same.

Learned counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged and he is not the owner of the Car in question. He was driving the Car and was not aware about the illicit liquor being kept inside the Car by its owner. Learned counsel further submits that the petitioner has got no criminal antecedent and he is in custody since 01.05.2020. Learned counsel also submits that no illicit liquor has been recovered either from conscious possession of the petitioner or from the vehicle belonging to him.

Having heard learned counsel for the parties and taking into consideration the materials on record and the fact that the petitioner has got no criminal antecedent and he is in custody since 01.05.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna, in connection with Special Case No. 3324 of 2020 arising out of Bypass P.S. Case No. 135 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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