

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23792 of 2020

Arising Out of PS. Case No.-88 Year-2020 Thana- PATORI District- Samastipur

NIRAJ KUMAR S/o Narsingh Thakur Resident of Village- Gurgawan, P.S.-
Patori, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-09-2020 Heard Mr. Pramod Kumar Singh, learned counsel for
the petitioner and Mr. Harendra Prasad, learned Additional
Public Prosecutor appearing for the State through video
conferencing.

Petitioner seeks regular bail in connection with Patori
P.S. Case No. 88 of 2020 registered for the offences punishable
under Sections 272, 273 of the Indian Penal Code 1860 and
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner as per the
prosecution report is that the Police received secret information
that some persons have brought the consignment of liquor,
proceeded towards the place of occurrence and upon seeing the
Police party the accused persons fled away. The Police
recovered a total quantity of 3628 litres of foreign liquor from a



truck bearing registration No. UP22AP-4059 and Maruti bearing registration No. DL-2CV-5496.

Learned counsel for the petitioner submits that the petitioner is not named in the First Information Report. His name has transpired on the basis of alleged conversation on cell phone between the petitioner and the named accused persons. Learned counsel referring to paragraph-11 of this petition submits that the petitioner is neither the owner nor driver of the truck or Maruti car in question. The petitioner is in custody since 29.5.2020 having clean antecedent.

Having regard to the submissions made by the parties and taking into consideration the materials on record and also the fact that the petitioner is neither the owner of the truck nor Maruti Car and he has got no criminal antecedent, 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.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IIInd cum Special Judge, Excise Act, Samastipur, Distt. Samastipur, in connection with Patori P.S. Case No. 88 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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