

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23599 of 2020

Arising Out of PS. Case No.-87 Year-2020 Thana- KUDRA District- Kaimur (Bhabua)

ANKIT SHARMA Son of Shyamlal Sharma Resident of Village - Adarsh
Nuaon, P.S.- Durgawati, District - Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-09-2020 Heard Mr. Tribhuwan Narayan, learned counsel

for the petitioner and Mr. Manoj Kumar, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

Excise Case No. 279 of 2020 arising out of Kudra P.S. Case

No. 87 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 the

Motorcycle of the petitioner and recovered a total quantity

of 54 litres of illicit foreign liquor from the same.



Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged . The Police did not follow the procedure prescribed under Section 100 Cr. P.C. at the time of search and seizure. Learned counsel further submits that there is no criminal antecedent against the petitioner and he is in custody since 22.3.2020. Learned counsel also submits that similarly situated co-accused Pankaj Baitha has already been granted bail by a co-ordinate Bench of this Court vide order dated 30.6.2020 passed in Cr. Misc. 21017 of 2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and also the fact that petitioner has got no criminal antecedent, he is in custody since 22.3.2020 and similarly situated co-accused has been granted regular Bail by a co-ordinate Bench 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-5th cum Special Judge, Excise, Kaimur at
Bhabua, in connection with Excise Case No. 279 of 2020
arising out of Kudra P.S. Case No. 87 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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