

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23993 of 2020

Arising Out of PS. Case No.-207 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

AVINASH KUMAR PRASAD @ ABHINASH KUMAR PRASAD Son of
Haresh Prasad Sahni Resident of Village - Sadhu chowk Sreya (Ward No. 3),
P.S. - Gopalganj, District - Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Setu Pratik Mr.Sanjay Kumar Pandey No.5, Advocates.
For the Opposite Party/s :		Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-09-2020 Heard Mr. Setu Pratik, learned counsel for the

petitioner and Mr. Kalyan Shankar, Additional Public Prosecutor

for the state through video conferencing.

2. Petitioner seeks regular bail in connection with
Kuchaikote PS Case No. 207/2020 registered for the offence
punishable under Sections 30(a) of Bihar Prohibition & Excise
Act 2016.

3. The allegation against the petitioner as per First
Information Report is that the police intercepted motorcycle of
the petitioner and recovered 45.5 litres of illicit liquor from the
same.

4. Learned counsel for the petitioner submits that
the petitioner has got no criminal antecedents and has falsely
been implicated in this case. Learned counsel further submits



that the petitioner is not the owner of the motorcycle in question and the same is owned by relative of the petitioner. Petitioner is in custody since 09.06.2020.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 09.06.2020 having no criminal antecedents, I am inclined to grant regular bail to the petitioner.

6. Accordingly, let the petitioner, AVINASH KUMAR PRASAD @ ABHINASH KUMAR PRASAD be released on bail, if he is not required in any other case, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-cum-Special Judge, Excise, Gopalganj in connection with Kuchaikote PS Case No. 207/2020

7. 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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