

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28923 of 2020

Arising Out of PS. Case No.-212 Year-2020 Thana- MINAPUR District- Muzaffarpur

1. SANDEEP KUMAR S/o Ishwar Singh Resident of Village-Rauna, P.S.- Kharkhuda, District-Sonipat (Haryana).
2. Shakti Singh S/o Dinesh Singh Resident of Village-Shinghwara, P.S-Beri, District-Jhajhar (Haryana).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratneshwar Prasad

For the Opposite Party/s : Ms. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-11-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioners and Ms. Anita Kumari Singh, the learned APP for the State.

The petitioners seek regular bail in connection with Minapur PS case no. 212 of 2020 instituted for the offences punishable under Sections 272, 273, 414, 120(B)/34 of Indian Penal Code and 30(a), 41(1) of Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of huge quantity of liquor from a tanker which was being driven by the petitioner no. 1 and the petitioner no. 2 is stated to be the helper.

The learned counsel for the petitioners has



submitted that the petitioners are innocent, have been falsely implicated in the present case, are having clean antecedent and are languishing in custody since 14.06.2020. It is further submitted that a co-accused person has been granted bail in a case arising out of the same F.I.R. by a co-ordinate Bench of this Court vide order dated 19.10.2020, passed in Cr. Misc. no. 27572 of 2020.

Per contra, the learned APP for the State vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the parties and taking into account the fact that the petitioners are having clean antecedent and are merely driver and khalasi of the truck, apart from the fact that they are languishing in custody since 14.06.2020, the abovenamed petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Minapur PS case no. 212 of 2020.

(Mohit Kumar Shah, J)

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