

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25564 of 2020

Arising Out of PS. Case No.-247 Year-2020 Thana- PAROO District- Muzaffarpur

RAJESH KUMAR S/o Ram Sakal Takur Resident of Village-Manikpur,
Basuchak, P.S.-Saraiya, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kalyan Shankar, Adv.

For the Opposite Party/s : Mr. Abhay Kumar Rai, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-10-2020 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, requiring social distancing.

Heard the learned counsel for the petitioner and sri Abhay Kumar Rai, the learned APP for the State.

The petitioner seeks regular bail in connection with Paroo P.S. Case No. 247 of 2020, registered for the offence punishable under Sections 30 and 30a of the Prohibition and Excise Act.

The allegation is regarding recovery of



167.760 liters of illicit liquor from a tata magic van. It is alleged that one person was caught from the spot, however, two persons succeeded in fleeing away and the person, who was caught, is the petitioner herein.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 8.5.2020. The learned counsel for the petitioner, by referring to paragraph no. 6 of the present petition, has submitted that the petitioner is neither the owner nor the driver of the pickup van in question.

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

Having regard to the facts and circumstances of the case, considering the submissions made by the leaned counsel for the petitioner and taking into account the fact that the petitioner is having a clean antecedent and he is neither the driver nor the owner of the pickup van in question, I deem it



fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, Muzaffarpur in connection with Paroo P.S. Case No. 247 of 2020.

(Mohit Kumar Shah, J)

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