

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25548 of 2020

Arising Out of PS. Case No.-224 Year-2020 Thana- UDWANTNAGAR District- Bhojpur

RAHUL KUMAR SINGH Son of Mahendra Singh Resident of Village -
Masarah, P.S.- Akbarpur Gajrajganj (O.P.), District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta
For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-10-2020 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.

Heard the learned counsel for the petitioner and
Sri Lalan Kumar, the learned APP for the State.

The petitioner seeks regular bail in connection with Udwant Nagar PS case no. 224 of 2020 instituted for the offences punishable under Section 30(A) of Bihar Excise Act, 2018.

The case of the prosecution is that on 16.06.2020, the informant is stated to have received information that a big consignment of liquor is going to be transported by a pick-up van, whereafter the informant and other police officials had started checking the vehicles at the alleged place and time



of occurrence, during the course whereof one Scorpio vehicle and one pick-up van had arrived and upon seeing the police party, the occupants had tried to flee away, however the said persons were arrested by the police. As far as the petitioner is concerned, he is stated to have been the occupant of the Scorpio vehicle, from which 45 liters of illicit liquor was recovered, upon search. It is further alleged that as far as pick-up van is concerned, 549 liters of illicit liquor was recovered, upon search.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having clean antecedent and is languishing in custody since 18.06.2020. It is further submitted that similarly situated co-accused persons have already been granted bail by a co-ordinate Bench of this Court vide order dated 18.09.2020, passed in Cr. Misc. no. 24126 of 2020 and Cr. Misc. no. 24127 of 2020.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the parity of the case of



the petitioner with that of the co-accused persons who have been granted bail by a co-ordinate Bench of this Court, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Sessions Judge-cum-Special Judge, Bhojpur at Ara in connection with Udwanthnagar PS case no. 224 of 2020.

(Mohit Kumar Shah, J)

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