

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33806 of 2020

Arising Out of PS. Case No.-260 Year-2020 Thana- EKMA District- Saran

SANJAY KUMAR Son of Late Bharat Prasad Resident of Village- Ratanpura
(Dharmnath Mandir), P.S.- Bhagwan Bazar, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawnit Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 22-12-2020 In view of the submission and the undertaking of the learned counsel for the petitioner, at the time of hearing of this application through video conferencing, that he would remove the defect(s), as pointed out by the office vide its notes dated 09.12.2020, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with Ekma P.S. Case No. 260 of 2020, registered under Sections 30(a)/38 of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving the secret information about loading of liquor on the tempo, the informant and other Police personnel reached at Bhuili bridge then a tempo was seen. On seeing the Police party, the driver



of the tempo started fleeing, but on chase, he was apprehended, who disclosed his name Sanjay Kumar (Petitioner). On search of tempo, 15 plastic packets, each containing five liters country made liquor recovered.

Learned counsel appearing for the petitioner submits that, in fact, the petitioner is the driver of the tempo and in course of plying the tempo, one passenger with sack boarded on the tempo, but on seeing the Police party that person fled away jumping from the tempo and petitioner, being the driver of the tempo, was apprehended by the Police party. The petitioner had no knowledge about keeping of liquor in the sack. The petitioner has no criminal antecedent and he is in custody since 06.07.2020.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-cum- Special Judge, Excise, Saran at Chapra in connection with Ekma P.S. Case No. 260 of 2020.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

