

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35367 of 2020

Arising Out of PS. Case No.-322 Year-2020 Thana- KOILWAR District- Bhojpur

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PRAKASH RAI S/o Baijnath Rai R/o village- Narhi Chandi, P.S.- Chandi,
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Pathak

For the Opposite Party/s : Mr. Permishwar Mehta

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-12-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State, through video

conferencing.

The petitioner seeks regular bail in connection with
Koilar Police Station Case No. 322 of 2020 (Excise Case No.
1027 of 2020), registered for the offence punishable under
Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information
Report, is that the motorcycle of the petitioner was intercepted
by the police and recovered a total quantity of 60 litres of illicit
liquor from the motorcycle in question.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case by the police with
oblique motive. He further submits that the petitioner has got no



criminal antecedent and he is in custody since 05.08.2020. He further submits that charge sheet has already been submitted in this case and there is no apprehension that the petitioner will abscond or tamper with the evidence

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 05.08.2020, he has got no criminal antecedent and charge sheet has already been filed in this case, I am inclined to grant regular bail to the petitioner.

This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Sessions Judge -cum- Special Judge, Excise, Bhojpur, at Ara, in connection with Koilwar Police Station Case No. 322 of 2020.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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