

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35327 of 2020

Arising Out of PS. Case No.-233 Year-2020 Thana- FALKA District- Katihar

MD. MANJAR S/o Md. Jahid Resident of Madheli, P.S.- Falka, Distt.-
Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Adv. Mr. Sanjeev Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-12-2020 Heard Mr. N. K. Agrawal, learned senior counsel
for the petitioner and Mr. Nand Kishore Prasad, Additional
Public Prosecutor for the state through video conferencing.

2. Petitioner seeks regular bail in connection with
Falka PS Case No. 233/2020 registered for the offence
punishable under Section 420 of the IPC and Section 30(a) of
Bihar Prohibition & Excise Act 2016.

3. The allegation, as per First Information Report, is
that the police intercepted a pickup van and upon seeing the
police party, the persons sitting in the van started fleeing away,
however, the police apprehended one person i.e., petitioner and
three other persons succeeded in fleeing away. It is further
alleged that the police recovered 1300 litres of illicit foreign
liquor from the said pick-up van.



4. Learned senior 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 with oblique motive. Learned counsel further submits that petitioner has got no criminal antecedents and the pick-up van from where the illicit liquor has been recovered is owned by co-accused, Md. Ajmal. It is also submitted that petitioner is not even the driver of the vehicle and no illicit liquor has been recovered from his conscious possession nor the said vehicle belongs to him. Learned counsel next submits that petitioner is in custody since 14.07.2020 and charge-sheet has already been submitted in the present matter.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 14.07.2020, charge-sheet has already been submitted in the present case and there is no likelihood that petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

6. Accordingly, let the petitioner, MD. MANJAR be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-



cum-Special Judge, Katihar in connection with Falka PS Case
No. 233 of 2020.

7. 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)

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