

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21633 of 2021

Arising Out of PS. Case No.-881 Year-2020 Thana- KHAGARIA District- Khagaria

SANTOSH KUMAR Son of Ramekbal Paswan Resident of Village -
Karamchack, P.S. and P.O.- Sonepur, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Kumar
For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-07-2021 Heard Mr. Shashi Bhushan Kumar, learned counsel
for the petitioner and Mr. Sanjay Kumar, learned counsel
appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Khagaria P.S. Case No. 881 of 2020 registered for the offence
under Section 30 (a) of the Bihar Prohibition and Excise Act.

As per the prosecution story a oil tanker which was
being driven by the petitioner was intercepted by the Police and
a total quantity of 1764 liters of illicit liquor was recovered from
the said oil tanker.

Learned counsel for the petitioner submits that
petitioner is the driver of the vehicle in question and he was not
aware about the product which was loaded in the oil tanker
inasmuch the owner of the oil tanker is one Girija Pathak and
the product in the oil tanker was loaded by its owner and
petitioner was told to deliver the product loaded inside the oil
tanker to one Pradeep Singh. Learned counsel next submits that



petitioner has got no criminal antecedent, he is in custody since 26.11.2020 and charge sheet has already been submitted.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the materials available on record, the fact that petitioner has got no criminal antecedent, he is in custody since 26/11/2020 and is the driver of the seized oil tanker and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Khagaria / court concerned in connection with Khagaria P.S. Case No. 881 of 2020.

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

(Anil Kumar Sinha, J)

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