

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29103 of 2021

Arising Out of PS. Case No.-434 Year-2020 Thana- TAJPUR District- Samastipur

MANTUN DAS @ TUNTUN KUMAR @ MUNTUN DAS SON OF
BHOLA DAS Resident of Village - Harpur Alloth Lagunia, P.S.-
Mushrigharari, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate
For the Opposite Party/s : Mr. Vinod Shankar Modi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 06-12-2021 Heard Mr. Raja Ram Mishra, learned counsel for
the petitioner and Mr. Vinod Shankar Modi, learned
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Tajpur P.S. Case No. 434 of 2020 registered for the
offences punishable under Sections 41(i), 41(ii) and 30(a) of
the Bihar Prohibition and Excise Act, 2016.

The allegation as per the First Information Report
is that a pick up van was intercepted by the Police and upon
seeing the Police Party, the driver of the vehicle fled away.
The petitioner sitting beside the driver was arrested. A total
quantity of 200.16 litres of illicit liquor was recovered from
the pick up van.

Learned counsel for the petitioner submits that the



petitioner has got no criminal antecedent and is is not aware about the illicit liquor being loaded by the driver of the pick up van. He further submits that petitioner is not the owner of the pick up van and he was sitting in the pick up van as a labourer. He also submits that the petitioner is in custody since 14.11.2020 and the charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner is not the owner of the vehicle and the charge sheet has already been submitted in the matter as well as there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-II-cum-Special Judge, Excise Act, Samastipur, in connection with Tajpur P.S. Case No. 434 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)

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