

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31915 of 2021

Arising Out of PS. Case No.-1 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

1. MD. JUMMAN S/o Late Eklaakh Resident of Ward No. 10, Jokihaat, P.S.- Jokihaat, District- Araria
2. Mumtaz S/o Saidul Ansari R/o village- Dulalganj, Ward No. 11, P.S.- Amour, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-12-2021 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Petitioners seek regular bail in connection with Special Case No. 3 of 2021 (arising out of Kochadhaman P.S. Case No. 01 of 2021) registered for the offence under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

As per the First Information Report 120 liters of Beer was recovered from a Tempo in which the petitioners were sitting.

Learned counsel for the petitioners submits that petitioners were *bona fide* passenger of the Tempo and were going from Bahadurganj to Kochadhaman and the same was intercepted by the Police. The driver and other passengers fled away and the petitioners were arrested. He further submits that petitioners have got no criminal antecedent and they are not the driver and / or owner of the Tempo in question. Petitioners



are in custody since 02-01-2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence if released on bail.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioners are not the owner of the Tempo , they are in custody since 02.01.2021 and charge sheet has already been submitted, as such, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge- II- cum- Special Judge (Excise), Kishanganj in connection with Special Case No. 3 of 2021 (arising out of Kochadhaman P.S. Case No. 1 of 2021).

(Anil Kumar Sinha, J)

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