

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32565 of 2021

Arising Out of PS. Case No.-48 Year-2021 Thana- MOHAMMADPUR District- Gopalganj

1. SANDIP KUMAR SON OF MUNIF SAHANI Resident of Village - Kajhiya, P.S.- Kotwa, Distt.- East Champaran.
2. Chunnu Kumar Son of Basu Sahani Resident of Village - Kajhiya, P.S.- Kotwa, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rashmi Jha, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-12-2021 Heard Ms. Rashmi Jha, learned counsel for the petitioners and Mr. Surendra Prasad Singh, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners seek regular bail in connection with Mohammadpur P.S. Case No. 48 of 2021 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation as per the First Information Report is that the Police intercepted a tractor and recovered a total quantity of 405.77 litres of illicit foreign liquor and arrested the petitioners from the same.



Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they are not the owner of the tractor in question. She next submits that the petitioners are in custody since 3.3.2021 having no criminal antecedent and there is no likelihood that the petitioners will abscond or tamper with the evidence and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioners have got no criminal antecedent, charge sheet has already been submitted and there is no likelihood that the petitioners will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gopalganj, in connection with Mohammadpur P.S. Case No. 48 of 2021.



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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