

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33751 of 2021

Arising Out of PS. Case No.-21 Year-2021 Thana- KHODAWANDPUR District- Begusarai

MILAN KUMAR Son of Tunna Das Resident of Village- Bhushwar Basaunna, Police Station- Bibhutipur, District- Samastipur at present C/o Nana Late Sannu Das Resident of Village- Kumbhi Police Station- Cheriya Bariyar Pur District Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Dhar Jha, Adv.

For the Opposite Party/s : Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-12-2021 Heard Mr. Shashi Dhar Jha, learned counsel for the petitioner and Ms. Shaheen Begum, Additional Public Prosecutor for the State.

Petitioner seeks regular bail in connection with Khodawandpur PS Case No. 21/2021 registered for the offences punishable under Sections 188, 272, 273, 120(B) of the IPC and Section 30(a) of Bihar Prohibition & Excise Act 2016.

The allegation, as per prosecution case, is that the police on the basis of secret information proceeded towards the village, Kumbhi and saw that one car and one motorcycle were standing there and petitioner along with three other accused persons, seeing the police party, started fleeing away, however, three persons succeeded in fleeing away but one person was



arrested by the police who disclosed his name as Milan Kumar i.e., petitioner. It is further alleged that the police recovered 422.22 litres of foreign liquor from the Maruti Suzuki Car and from the orchard situated behind the house of one Arun Kumar.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedents and he has falsely been implicated in this case by the police with oblique motive. Learned counsel further submits that the car/motorcycle or the orchards do not belong to the petitioner and no illicit liquor has been recovered from the conscious possession of the petitioner.

Learned counsel further submits that the petitioner is in custody since 20.01.2021 and the charge-sheet has already been submitted.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is not the owner of the motorcycle/car or the orchards, petitioner is in custody since 20.01.2021 and the charge-sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, MILAN KUMAR 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 Special Judge, Excise Act, Begusari in
connection with Khodawandpur PS Case No. 21/2021.

(Anil Kumar Sinha, J)

perwez

U		T	
---	--	---	--

