

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32326 of 2020

Arising Out of PS. Case No.-557 Year-2020 Thana- ARARIA District- Araria

Vijay Kumar @ Bijay Kumar, aged about 50 years, Gender Male, S/o Late Prabhu Dayal Prasad, R/o Village Rahika Tola Ward no.17, P.S. and District Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr. B.N. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 01-02-2021 Heard Mr. Krishna Prasad Singh, the learned Senior Counsel for the petitioner and Mr. B.N. Pandey, the learned Additional P.P.

The petitioner seeks bail in Araria (R.S.) P.S. Case No.557 of 2020, corresponding to Special Case No.567 of 2020, registered under Section 30(a) of the Bihar Prohibition and Excise Act.

The informant after having received secret information about transportation of liquor by two trucks bearing Registration Nos. PB11CR 9018 and UP65DT 2829 intercepted the vehicle near Hariyabara Toll Plaza. Both the trucks were signaled to stop. 2232 litres of Indian made foreign liquor was recovered from truck bearing Registration No. PB11CR 9018. The driver-cum-owner of the truck was interrogated who talked with one Ravi. The driver made contact with the trader of wine who came with four persons on two motorcycles. Petitioner was one of them who had come with motorcycle with three other



persons.

Learned counsel for the petitioner submits that the petitioner is a practicing lawyer of Araria. Other accused persons persuaded the petitioner to accompany them on the motorcycle. Petitioner has no manner of concern with the truck or the consignment loaded on the truck. Petitioner is in jail since 18.07.2020.

The learned Additional P.P. did not dispute the facts.

Taking into consideration the facts that of course the petitioner being a lawyer accompanied other three motorcyclists to the petrol pump where the truck loaded with huge quantity of liquor was intercepted but petitioner being lawyer has remained in jail for more than six months, petitioner, namely, Vijay Kumar @ Bijay Kumar is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-IIInd-cum-Special Judge Excise Act, Araria in connection with Araria (R.S.) P.S. Case No.557 of 2020, corresponding to Special Case No.567 of 2020.

(Prabhat Kumar Jha, J)

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