

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33142 of 2020

Arising Out of PS. Case No.-181 Year-2020 Thana- KALYANPUR District- East Champaran

SHIVJI THAKUR Son of Late Ram Vilash Thakur R/o Village- Basantpur,
P.S.- Sahebganj, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Prateek Tandon

For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 11-01-2021 Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

A supplementary affidavit has been filed stating therein that there is typographical error in prayer portion of the application inasmuch as ‘Kalyanpur P.S. Case No. 181 of 2019’ has been typed in place of ‘Kalyanpur P.S. Case No. 181 of 2020’.

Considering the averments made in the supplementary affidavit and the materials available on record, it is directed that in the prayer portion of this case, ‘Kalyanpur P.S. Case No. 181 of 2020’ shall be read in place of ‘Kalyanpur P.S. Case No. 181 of 2019’.

This application for grant of regular bail arises out of



Kalyanpur P.S. Case No. 181 of 2020 registered for the offence punishable under Sections 272, 273, 414/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is the prosecution's case that the petitioner was apprehended by the villagers along with a 'Maruti Wagon R' car loaded with huge quantity of Indian made foreign liquor. The other persons sitting in the car managed to escape. The petitioner was handed over by the villagers to the police. The car and a total of 250.20 liters of illicit liquor was seized by the police.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner is in custody since 23.07.2020. The petitioner has no criminal antecedent, as has been indicated in paragraph 3 of the application.

Considering the facts and circumstances, as noted above, this application is allowed.

Let the petitioner, above named, 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 the learned 7th Additional District and Sessions Judge-cum-Special Judge, Excise, East Champaran at Motihari, in Kalyanpur P.S.



Case No. 181 of 2010.

(Chakradhari Sharan Singh, J)

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