

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34808 of 2020

Arising Out of PS. Case No.-241 Year-2020 Thana- SAHEBPUR KAMAL District-
Begusarai

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1. AMAR KUMAR S/o Ram Lakhan Singh R/o Village- Kaithma, P.S.- Begusarai Muffasil, District- Begusarai.
 2. Jitendra Kumar S/o- Balmiki Yadav R/o Village- Kaithma, P.S.- Begusarai Muffasil, District- Begusarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Shubhesh Pandey

For the Opposite Party : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

6 02-03-2021

Heard learned counsel for the parties.

This application for grant of regular bail arises out of Sahebpur Kamal P.S. Case No. 241 of 2020, registered for the offence punishable under Section 120(B) of the Indian Penal Code and Sections 30(a)/32/41(i) of Bihar Prohibition and Excise Act, 2016.

It is the prosecution's case that two vehicles, namely, a Bolero pick-up van and a Tata Tiago car were intercepted by the police officials from which huge quantity of illicit liquor was recovered. From the pick-up van, total 675 liters of Indian Made Foreign Liquor was recovered. From the car, 36 liters of Foreign Liquor was recovered. The petitioners were found sitting in the car.



Learned counsel appearing on behalf of the petitioners has submitted that the petitioners are in custody since 03.08.2020, who do not have any criminal antecedent. He has further submitted that from their possession, mobile phones were recovered and they have been implicated only because they were found sitting in the car. He has drawn my attention to an order of this Court dated 12.01.2021 passed in Cr. Misc. No. 34344 of 2020, whereby in similar circumstance co-accused Rajesh Kumar @ Chhotu Kumar and Bablu Kumar have been allowed regular bail.

Considering the facts and circumstances, a case for grant of regular bail is made out. This application is allowed.

Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Session Judge II-cum-Special Judge Excise Act, Begusarai, in Sahebpur Kamal P.S. Case No. 241 of 2020.

(Chakradhari Sharan Singh, J)

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