

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36631 of 2020

Arising Out of PS. Case No.-64 Year-2020 Thana- NASRIGANJ District- Rohtas

SAGAR KUMAR SON OF SRI SURESH YADAV RESIDENT OF
VILLAGE- BABUGANJ BAGEN, PS- AKORHIGOLA, DISTRICT-
ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha, Adv.

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-01-2021 Heard the learned counsel for the petitioner
and the learned APP for the State, Ms. Anita Kumari
Singh.

The petitioner seeks regular bail in
connection with Nasariganj P.S. Case No. 64 of
2020, registered for the offence punishable under
Sections 188, 269, 219 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and
Excise Amendment Act, 2018.

The case of the prosecution in brief is that
when the informant was on patrolling duty along
with police force, he had tried to stop a vehicle
and had intercepted it whereupon one person
succeeded in fleeing away, however, two persons



were apprehended by the police force. Upon search of the said vehicle, 293.760 liters of illicit Indian made foreign liquor was recovered from the vehicle and the apprehended accused persons disclosed their name as Sagar Kumar (petitioner) and Mantu Kumar.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 08.04.2020. The learned counsel for the petitioner has further submitted that similarly situated co-accused person has already been granted bail by a coordinate Bench of this Court vide order dated 15.12.2020 passed in Criminal Miscellaneous No. 34075 of 2020.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the parity of



the case of the petitioner with that of the co-accused person, who has already been granted bail by a coordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge cum Special Judge, Excise, Rohtas in connection with Nasariganj P.S. Case No. 64 of 2020.

(Mohit Kumar Shah, J)

Ajay/-

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

