

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37302 of 2020**

Arising Out of PS. Case No.-180 Year-2019 Thana- CHERIYA BARIYARPUR District-
Begusarai

Prashant Suman @ Golu Son Of Rajeev Kumar @ Nunu Singh Resident Of
Village- Manjhaul, Near Referral Hospital, P.S.- Cheriya Bariyarpur, District-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad, Adv.

For the Opposite Party/s : Mr. Bharat Lal, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 02-02-2021 Heard the learned counsel for the petitioner and
Shri Bharat Lal, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with
Cheriya Bariyarpur P.S. Case No. 180 of 2019 for the offence
punishable under Section 30(a) of the Bihar Prevention &
Excise Act, 2016.

The allegation is regarding recovery of 3312.900
liters of illicit liquor from three vehicles and and the name of the
petitioner has transpired upon the confessional statement made
by the co-accused persons namely Babu Sahab and Prince
Kumar.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, has been falsely
implicated in the present case and is languishing in custody



since 26.09.2020. The learned counsel for the petitioner has further submitted that the aforesaid two co-accused persons, on whose confessional statement, the name of the petitioner has transpired in the present case, have already been granted the privilege of bail by a co-ordinate Bench of this Court vide order dated 11.06.2020 passed in Cr. Misc. No. 8136 of 2020. It is further submitted that similarly situated other co-accused persons have also been granted the privilege of anticipatory bail.

Per contra, the learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the parity of the case of the petitioner with that of the co-accused persons, who have already been granted bail by co-ordinate Benches of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II cum Special



Excise Act, Begusarai/ concerned court in connection with
Cheriya Bariyarpur P.S. Case No. 180 of 2019.

(Mohit Kumar Shah, J)

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