

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37424 of 2020**

Arising Out of PS. Case No.-214 Year-2020 Thana- BAUNSI District- Banka

SANDIP KUMAR, son of Kundan Choudhary Resident of Village- Ishaque Chak, P.S.- Ishaque Chak, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Choudhary, Advocate
Mr. Daya Shankar Prasad Sinha, Advocate
Mr. Shyameshwar Dayal, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 02-02-2021 Heard Mr. Alok Kumar Choudhary, learned Counsel
for the petitioner and Mr. Nand Kishore Prasad, learned
Additional Public Prosecutor for the State.

This application, for grant of regular bail, arises out
of Baunsi Police Station Case No. 214 of 2020, disclosing
offences under Section 414 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation, as per the First Information Report
is that the police intercepted an Ambulance and recovered
altogether 141.9 litres of illicit foreign liquor from the said



Ambulance.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case merely on the basis of the fact that the Ambulance was being driven by him. Learned counsel next submits that petitioner himself was driving the Ambulance which was hired by passengers who were sitting in the Ambulance and from their possession, illicit liquor was recovered. Learned counsel next submits that co-accused person sitting in the Ambulance has been granted bail by a coordinate Bench of this Court in Cr. Misc. No.34381 of 2020. Learned counsel next submits that the petitioner is in custody since 27.08.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioner is the driver of the Ambulance having no criminal antecedent and similarly situated accused person has been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Sandip Kumar, 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 learned Addl. Session Judge-II, Banka, in
connection with Baunsi Police Station Case No. 214 of 2020.

(Anil Kumar Sinha, J.)

sanjeev/-

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

