

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4801 of 2021

Arising Out of PS. Case No.-137 Year-2020 Thana- PHULWARIYA District- Gopalganj

SANDEEP KUMAR, SON OF LATE GHURUL CHAUDHARY RESIDENT
OF VILLAGE- BENDUSAR, P.S- MUFFASIL SIWAN, DISTRICT- SIWAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 25-03-2021 Heard Mr. Yogesh Chandra Verma, learned senior counsel for the petitioner and Mr. Upendra Kumar, learned Additional Public Prosecutor for the State, through Video Conferencing.

This application, for grant of regular bail, arises out of Phulwariya Police Station Case No. 137 of 2020, disclosing offences under Sections 30(a), 32(2), 41(1) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation, as per the First Information Report is that the bolero vehicle was intercepted in which petitioner along with other accused persons were found sitting and upon search police recovered a total quantity of 241.92 litres of illicit liquor from the same.



Learned senior 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 because he was sitting in the bolero vehicle as passenger. Learned counsel next submits that no illicit liquor has been recovered from the conscious possession of the petitioner and the petitioner is having no criminal antecedent and he is in custody since 14.06.2020 and the chargesheet has already been submitted against the petitioner and there is no likelihood that the petitioner will abscond or tamper with the evidence.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioner is in custody since 14.06.2020 having no criminal antecedent and the chargesheet has already been submitted in this case, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Sandeep 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. District and Sessions Judge-2nd-cum-Special Judge (Excise), Gopalganj, in connection with Phulwariya Police Station Case No. 137 of 2020.



It is made clear at the time of furnishing bail bond, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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