

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4093 of 2021

Arising Out of PS. Case No.-676 Year-2020 Thana- ARA NAWADA District- Bhojpur

PAWAN KUMAR, son of Om Prakash, Resident of Village- Neyola, P.S.-
Kulana, District- Jhajjar (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-03-2021 Heard Mr. Ashok Kumar Sinha, learned Counsel for
the petitioner and Mr. Nawal Kishore Prasad, learned Additional
Public Prosecutor for the State, through Video Conferencing.

This application, for grant of regular bail, arises out
of Ara Nawada Police Station Case No. 676 of 2020, disclosing
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

The allegation, as per the First Information Report
is that police intercepted a Maruti Van and recovered a total
quantity of 336.75 litres of illicit liquor from the same. The
Maruti Van was being driven by the petitioner and one person
sitting in the Maruti Van succeeded in fleeing away.

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 inasmuch as he is a driver by profession and was driving the vehicle on the instruction of co-accused, Fauji and the petitioner was not aware about the illicit liquor being kept in the said vehicle. Learned counsel next submits that Fauji is the owner of the vehicle. Learned counsel next submits that petitioner has got no criminal antecedent and he is in custody since 03.09.2020 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 has got no criminal antecedent and he is in custody since 03.09.2020 and the chargesheet has already been submitted in this case, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Pawan 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 4th Additional Sessions Judge-cum-Special Judge (Excise), Bhojpur at Ara, in connection with Ara Nawada Police Station Case No. 676 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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