

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40175 of 2020

Arising Out of PS. Case No.-43 Year-2020 Thana- PIPRIYA District- Lakhisarai

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1. LAKHAN RAVIDAS S/o Chandradeo Ravidas Resident of Vill.- Hirapur, P.S.- Dhanbad, Distt.- Dhanbad.
 2. Dayanand Kumar S/o Late Rajendra Prasad Resident of Vill.- Hirapur, P.S.- Dhanbad, Distt.- Dhanbad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Rakhi Kumari, Mr.Rabi Bhushan, Advocates
For the Opposite Party/s :		Mrs. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-02-2021 Heard Ms. Rakhi Kumari, learned counsel for the petitioners and Mrs. Veena Kumari Jaiswal, Additional Public Prosecutor for the State.

Petitioners seek regular bail in connection with Piparia PS Case No. 43/2020 registered for the offence punishable under Sections 30(a) of Bihar Prohibition and Excise Act, 2018.

The allegation, as per First Information Report, is that the police on the basis of secret information that some persons are engaged in unloading the illicit liquor from a tempo vehicle, proceeded toward the place of occurrence and upon seeing the police, accused persons started fleeing away, however, police arrested three accused persons including petitioners along with



one Nitish Kumar and also recovered 198 litres of illicit liquor from the said tempo vehicle and from a brick kiln where the tempo was standing.

Learned counsel for the petitioners submits that the petitioners have got no criminal antecedents and petitioner no.1 is a driver and petitioner no.2 is a co-driver of the tempo in question and they have been running the vehicle on hire basis on the instruction of its owner. Learned counsel further submits that the co-accused, Nitish Kumar, who was arrested on the spot, has been granted bail by a Co-ordinate Bench of this Court vide Cr. Misc. No. 32171/2020.

Learned counsel next submits that the petitioners are in custody since 23.06.2020 having no criminal antecedents and charge-sheet has already been submitted in the matter and there is no likelihood that the petitioners will abscond or tamper with the evidences.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that the similarly situated person has been granted bail by a Bench of this Court and the petitioner is in custody since 23.06.2020 and charge-sheet has already been submitted in the matter and there is no likelihood that the petitioners will



abscond or tamper with the evidences, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Lakhisarai in connection with Piparia PS Case No. 43/2020.

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

(Anil Kumar Sinha, J)

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