

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40247 of 2020

Arising Out of PS. Case No.-72 Year-2020 Thana- KHIRHAR District- Madhubani

=====

SUJIT KUMAR PRASAD @ SONU Son of Kishori Prasad Sah Resident of
Ward No. 13, Kathalwari, P.S.- L.N.M.U., District- Darbhanga, Bihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhupendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP.

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-02-2021 Heard Mr. Bhupendra Narayan Singh, learned Counsel

for the petitioner and Mr. Bharat Bhushan, learned Additional

Public Prosecutor for the State.

This application, for grant of regular bail, arises out of

Khirhar Police Station Case No. 72 of 2020, disclosing offences

under Section 30(a) of the Bihar Prohibition Excise Act, 2016.

The allegation, as per the First Information Report is

that the vehicle belonging to the petitioner was intercepted by the

police and a total quantity of 900 litres of Nepali Saufi wine was

recovered from the said vehicle.

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 he happens to be the owner of the vehicle. Learned

counsel next submits that the vehicle in question is commercial



vehicle and the same was being plied by its driver on hire basis and it appears that on the date of occurrence, the driver loaded illicit liquor, for which the petitioner had not given any permission to the driver. Learned counsel next submits that the petitioner has got no criminal antecedent and he is in custody since 01.08.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioner is in custody since 01.08.2020 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, Sujit Kumar Prasad @ Sonu, 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani, in connection with Khirhar Police Station Case No. 72 of 2020.

(Anil Kumar Sinha, J)

sanjeev/-

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

