

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40408 of 2020**

Arising Out of PS. Case No.-259 Year-2020 Thana- MAHARAJGANJ District- Siwan

RINKU CHAUDHARY S/o- Late Chait Chaudhary Resident of Village -
Balbangra, P.S. - Daraunda, District - Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harendra Prasad, Advocate

For the Opposite Party/s : Mr. Amit Kumar Rakesh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 03-03-2021 Heard Mr. Harendra Prasad, learned counsel for the

petitioner and Mr. Amit Kumar Rakesh, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with
Maharajganj P.S. Case No. 259 of 2020 registered for the
offences punishable under Sections 30(a), 36 and 41(1) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation as per the First Information Report is
that one Mini truck and one Bolero vehicle were intercepted by
the Police on the basis of secret information and upon seeing the
Police party four co-accused persons started fleeing away from
the said vehicle. However, the petitioner along with two other
co-accused persons were arrested and upon search, a total



quantity of 262.800 litres of illicit foreign liquor has been recovered from both the vehicles.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive. Learned counsel further submits that the petitioner has got no criminal antecedent and he is neither the owner nor driver of the vehicles in question. Learned counsel also submits that the petitioner had taken lift from one of the vehicles in order to reach his destination. Learned counsel next submits that the petitioner is in custody since 3.10.2020 and the charge sheet has already been submitted in the matter. 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, the fact that the petitioner has got no criminal antecedent, he is in custody since 3.10.2020 and charge sheet has already been submitted in the matter as well as there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction of learned Additional District and Sessions Judge-II
cum Special Judge, Excise, Siwan, in connection with
Maharajganj P.S. Case No. 259 of 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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