

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40248 of 2020

Arising Out of PS. Case No.-439 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

SANJAY VERMA, Son of Dharmdeo Verma Resident of Village- Aamdari,
P.S.- Phephana, Distt- Ballia, State- Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranaya Shanker Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-02-2021 Heard Mr. Pranaya Shanker Sinha, learned Counsel for
the petitioner and Mr. Nawal Kishore Prasad, learned Additional
Public Prosecutor for the State.

This application, for grant of regular bail, arises out of
Muzaffarpur Sadar Police Station Case No. 439 of 2020, disclosing
offences under Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act, 2018.

The allegation, as per the First Information Report is
that the Ashok Leyland Magic vehicle, which was being driven by
the petitioner, was intercepted by the police and a total quantity of
189.84 litres of illicit liquor 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 happens to be the driver of the vehicle and on the date of



occurrence, the vehicle was being driven by the petitioner at the instance of its owner and the petitioner was not aware about the illicit liquor being kept inside the same. Learned counsel further submits that petitioner is in custody since 10.08.2020 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 10.08.2020 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, Sanjay Verma, 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 Special Judge Excise Act, Patna, in connection with Muzaffarpur Sadar Police Station Case No. 439 of 2020.

(Anil Kumar Sinha, J.)

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