

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40212 of 2020

Arising Out of PS. Case No.-177 Year-2020 Thana- KHAJAUЛИ District- Madhubani

MADAN KUMAR SINGH Son of Late Muneshwer Singh Resident of
Village- Datuar, P.S.- Khajauli, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-02-2021 Heard Mr. Madan Kumar Singh, learned counsel

for the petitioner and Mr. Arun Kumar Singh, learned

Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Khajauli P.S. Case No. 177 of 2020 registered for the
offences punishable under Sections 272, 273, 34 of the
Indian Penal Code 1860 and Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

The allegation as per the First Information Report
is that a Motorcycle on which the petitioner and others were
travelling, was intercepted by the Police and recovered a
total quantity of 36 litres of illicit *Nepali* liquor from the
same.



Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent and he has falsely been implicated in this case with oblique motive. Learned counsel further submits that the Motorcycle from which the illicit liquor has been recovered, does not belong to the petitioner and at the time of search and seizure, the procedure prescribed under Section 100 Cr. P.C. has not been followed. Learned counsel also submits that the petitioner is in custody since 01.09.2020 and charge sheet has already been submitted in the matter.

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 and he is in custody since 01.09.2020 as well as the charge sheet has been submitted in the matter, 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 Sessions Judge-II cum Special Judge, Excise Act,



Madhubani, in connection with Khajauli P.S. Case No. 177
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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