

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40219 of 2020

Arising Out of PS. Case No.-206 Year-2020 Thana- PUNPUN District- Patna

BIRU KUMAR S/o LATE ASARFI PASWAN RESIDENT OF SALIMPUR
ARHA GALI NO. 3, PS GANDHI MAIDAN, DISTRICT-PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Anand, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 25-03-2021 Heard Mr. Saket Anand, learned counsel for the
petitioner and Mr. Arun Kumar Singh, learned counsel
appearing for the State.

Petitioner seeks regular bail in connection with
Punpun P.S. Case No. 206 of 2020 registered for the offence
punishable under Sections 414 / 34 of the I.P.C. and Section 30
(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation as per the First Information Report is
that 02 cars were intercepted by the Police and altogether 07
persons sitting in those cars tried to flee away, however, the
Police apprehended one accused person i.e. the petitioner and
recovered a total quantity of 211.875 liters of illicit liquor from
the two cars.

Learned counsel for the petitioner submits that
petitioner has got no criminal antecedent and he has falsely been
implicated in this case by the Police with oblique motive.
Learned counsel next submits that the cars in question from
where the illicit liquor was recovered do not belong to the



petitioner and the petitioner is not the owner of the cars in question. Learned counsel next submits that petitioner is in custody since 12.09.2020 and charge sheet has already been submitted.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the materials available on record, the fact that petitioner is in custody since 12.09.2020 having no criminal antecedent and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular 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 / concerned court in connection with Punpun P.S. Case No. 206 of 2020.

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

praful/-

(Anil Kumar Sinha, J)

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