

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2614 of 2021

Arising Out of PS. Case No.-405 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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1. PAPPU KUMAR, SON OF SRI BHAGWAN RAY, RESIDENT OF VILLAGE-JIRWARA, P.S.-MAHUWA, DISTRICT-VAISHALI.
 2. CHINTU SINGH, S/O SRI DILIP SINGH, RESIDENT OF VILLAGE-UNSAR, P.S.-BOCHHA, DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Jyotsna Rani Mishra, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 16-03-2021 Heard Mrs Jyotsna Rani Mishra, learned Counsel

for the petitioners and Mr. Nand Kumar, learned Additional

Public Prosecutor for the State.

This application, for grant of regular bail, arises out
of Sadar Police Station Case No. 405 of 2020, disclosing
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

The allegation, as per the First Information Report
is that on the basis of secret information, police intercepted one
Tata 407 vehicle and upon seeing the police party, the persons
sitting inside the vehicle tried to flee away. However, the police
apprehended the petitioners and upon search, total quantity of



388.80 litres of illicit liquor has been recovered from the cabine of the said vehicle.

Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case due to oblique motive inasmuch as the petitioners were travelling in the said vehicle as passenger. Learned counsel next submits that the petitioners have got no criminal antecedent and they are neither the owner of the vehicle nor its driver. Learned counsel next submits that petitioners are in custody since 24.07.2020 and the chargesheet has already been submitted against the petitioner and there is no likelihood that the petitioners 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 petitioners are in custody since 24.07.2020 having no criminal antecedent and the chargesheet has already been submitted in this case, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioner No.1, Pappu Kumar and petitioner No.2, Chintu Singh, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with



two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur, in connection with Sadar Police Station Case No. 405 of 2020.

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

(Anil Kumar Sinha, J)

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