

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40430 of 2020

Arising Out of PS. Case No.-13 Year-2020 Thana- BHAGWANPUR District- Vaishali

DILIP KUMAR S/o Nawal Rai R/o village- Chakaku, P.S.- Bhagwanpur,
District- Vaishali at Hajipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 26-03-2021 Heard Mr. Vijay Kumar Singh, learned counsel for
the petitioner and Mr. Akshay Lal Pandit, learned Additional
Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Bhagwanpur P.S. Case No. 13 of 2020 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The allegation as per the First Information Report is
that the Police on secret information, proceeded towards Ranjit
Singh Dhaba situated at N.H. 22 and recovered a total quantity
of 3336.645 litres of illicit foreign liquor from the truck and also
seized one Swift Desire Car standing near the truck. The name
of petitioner has transpired on the basis of information received
by the Police that the consignment of liquor was brought by the



petitioner i.e. Dilip Kumar.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive and he has got no criminal antecedent. Learned counsel further submits that the petitioner has been made accused on the basis of so-called disclosure of the imaginary person. Learned counsel also submits that there is no cogent material to connect the petitioner in the present occurrence. Learned counsel referring to supplementary affidavit submits that the petitioner was not owner of the truck in question as well as Swift Desire Car which were seized from the place of occurrence. The petitioner is in custody since 13.9.2020 having no criminal antecedent and the 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 13.09.2020 as well as 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 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-Excise Court, Vaishali at Hajipur, in connection with Bhagwanpur P.S. Case No. 13 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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