

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.644 of 2021

Arising Out of PS. Case No.-564 Year-2020 Thana- ISLAMPUR District- Nalanda

SHAILESH KUMAR Son of Indradev Yadav Resident of Village -
Khagaribigha @ Khagadiyabigha, P.S. - Islampur, District - Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 26-03-2021 Heard Mr. Pramod Kumar Sinha, learned counsel for
the petitioner and Mr. Tarkeshwar Nath Thakur, learned
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Islampur P.S. Case No. 564 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 one Tempo was intercepted by the Police and the driver and
persons sitting inside the Tempo started fleeing way. However,
four persons including the petitioner were arrested and a total
quantity of 80 litres of illicit country made liquor has been
recovered from the said Tempo.

Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case with oblique motive and he is driver of the Tempo from which the illicit liquor has been recovered. Learned counsel further submits that the other co-accused persons who were sitting in the Tempo as passengers were carrying the illicit country made liquor and petitioner being the driver was not aware about the liquor being kept by them. Learned counsel also submits that the petitioner has got no criminal antecedent and he is in custody since 12.09.2020.

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 12.09.2020 as well as charge sheet has already 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 3rd Additional Sessions Judge-cum-Special Judge (Excise), Nalanda at Bihar Sharif, in connection with Islampur P.S. Case No. 564 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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