

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1046 of 2021

Arising Out of PS. Case No.-718 Year-2020 Thana- KHAGARIA District- Khagaria

PRINCE KUMAR Son of Prem Kumar Chaudhary Resident of Village -
Gayatri Mandir, Ward No.19, P.S.- Khagaria, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-04-2021 Heard Mr. Pankaj Kumar, learned counsel for the
petitioner and Mr. Nirmal Kumar Sinha, learned Additional
Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Khagaria P.S. Case No. 718 of 2020 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

The allegation as per the First Information Report is
that the Police on the basis of secret information that two
persons were standing near the *Nagar Suraksha Bandh*,
proceeded towards the place of occurrence and upon seeing the
Police party, the accused persons started fleeing away along
with the Plastic bag, and Police, upon chase, apprehended the
accused persons including the petitioner. On search of Plastic



bag, a total quantity of 13.680 litres of illicit foreign liquor has been recovered.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive and he has not committed any offence in the manner alleged. Learned counsel further submits that from perusal of seizure list it would be evident that the illicit liquor has been recovered from the road near the *Shiv Mandir* and the same has not been recovered from conscious possession of the petitioner. Learned counsel next submits that the petitioner is in custody since 26.9.2020 and charge sheet has already been submitted against him.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that charge sheet has already been submitted in the matter and the petitioner is in custody since 26.9.2020, 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.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-2nd-cum-Special Judge (Exccise), Khagaria, in connection with



Khagaria P.S. Case No. 718 of 2020 and Special B.A. (Excise)
No. 605 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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