

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2568 of 2021

Arising Out of PS. Case No.-312 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

Sunil Kumar Son of Upendar Mahto @ Upendra Maheto @ Upendra Mahato
R/o Village - Bishanpur @ Bishunpur @ Bisahanpur, P.S. - Kanhauli, dist. -
sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 12-03-2021 Heard Mr. Alok Kumar Alok, learned counsel for the

petitioner and Mrs. Veena Kumari Jaiswal, Additional Public

Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with C2
Case No. 312/2020 registered for the offence punishable under
Section 30(a) of Bihar Prohibition & Excise Act.

The allegation, as per First Information Report, is that
the petitioner was arrested by the SSB personnel with 840
bottles of Nepal Saunfi wine having total quantity of 252 litres
from an auto-rickshaw in which petitioner was found sitting.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case merely on the
basis of the fact that he was travelling in the said auto-rickshaw
as a passenger. Learned counsel further submits that petitioner
has got no criminal antecedent and is in custody since
23.08.2020. Learned counsel referring to paragraph-10 of this



application submits that petitioner is not the owner of the said auto-rickshaw but he was sitting in the auto-rickshaw as a passenger. Learned counsel next submits that the charge-sheet has already been submitted in the matter.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that the petitioner is in custody since 23.08.2020 having no criminal antecedents and charge-sheet has already been submitted in the matter, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, SUNIL KUMAR be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-II-cum-Special Judge, Excise Act, Sitamarhi/the court concerned in connection with C2 Case No. 312/2020.

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

(Anil Kumar Sinha, J)

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