

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4827 of 2021

Arising Out of PS. Case No.-237 Year-2020 Thana- DHANAHA District- West Champaran

JASPAL PATEL, Son of Lalan Patel Resident of Village - Bariya Patti, P.S.-
Bishunpura, Distt.- Kushinagar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-03-2021 Heard Mr. Ashok Kumar Gupta, learned Counsel for the
petitioner and Mr. Ajit Kumar, learned Additional Public Prosecutor
for the State.

This application, for grant of regular bail, arises out of
Dhanaha Police Station Case No. 237 of 2020, disclosing offences
under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation, as per the First Information Report is
that the bolero pick-up van was intercepted by the police and a total
quantity of 600 litres of spirit was recovered from the said vehicle
which was being driven by the petitioner.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged.
Learned counsel next submits that the petitioner is the driver of the
pick-up van and was plying the vehicle on instruction of its owner



and was not aware about the spirit being kept in the vehicle. Learned counsel next submits that petitioner is in custody since 01.10.2020 and the chargesheet has already been submitted against the petitioner and there is no likelihood that the petitioner 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 petitioner is in custody since 01.10.2020 having no criminal antecedent and the chargesheet has already been submitted in this case, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Jaspal Patel, 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 Special Judge (Excise), West Champaran, Bettiah, in connection with Dhanaha Police Station Case No. 237 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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