

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7988 of 2021

Arising Out of PS. Case No.-88 Year-2020 Thana- MATIHANI District- Begusarai

NITISH KUMAR @ NIKKU Son of Basant Chaudhary @ Basant Singh
Resident of Village - Matihani, P.S.- Matihani, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arya Achint, Advocate

For the Opposite Party/s : Ms. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-04-2021 Heard Mr. Arya Achint, learned counsel for the

petitioner and Ms. Renu Kumari, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Matihani P.S. Case No. 88 of 2020 registered for the offences
punishable under Section(s) 30(a), 32 of the Bihar Prohibition
and Excise Act, 2016 and Section 120(B) of the Indian Penal
Code, 1860.

The allegation as per the First Information Report is
that a pick-up van was intercepted by the Police and the Driver
of the pick-up van succeeded in fleeing away. It has further been
alleged that the petitioner who was sitting in the van along with
another person was arrested and a total quantity of 900 litres of
illicit liquor was recovered from the said pick-up van.



Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he is neither Driver nor the owner of the pick up van. Learned counsel further submits that the co-accused who was found sitting along with the petitioner has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. 37223 of 2020. Learned counsel next submits that the petitioner has got no criminal antecedent of similar nature of offence and he is in custody since 19.10.2020 and 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 is in custody since 19.10.2020 and similarly situated co-accused person has been granted bail by a co-ordinate Bench of this Court 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 Additional District and Sessions Judge-II - cum Special Judge, Excise, Begusarai, in connection with



Matihani P.S. Case No. 88 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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