

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4869 of 2021

Arising Out of PS. Case No.-235 Year-2020 Thana- BAUSI District- Purnia

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1. ANIL KUMAR RAM SON OF SRI BHAVIKCHAN RAM RESIDENT OF SIRSI,P.S-NANPUR,DISTRICT-SITAMARHI
 2. MD. AFSAR SON OF MD. SABIR RESIDENT OF SIRSI,P.S-NANPUR,DISTRICT-SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sita Ram Prasad, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-03-2021 Heard Mr. Sita Ram Prasad, learned counsel for the petitioners and Mr. Nawal Kishore Prasad, Additional Public Prosecutor for the State through video conferencing.

Petitioners seek regular bail in connection with Baisi PS Case No. 235/2020 registered for the offence punishable under Sections 272, 273 of the IPC and Section 30(a) 41, 47 of Bihar Prohibition & Excise Act, 2016.

The allegation, as per First Information Report, is that a truck bearing Registration No. BR-06 GB-9135 was intercepted by the police and 469.440 litres of illicit liquor was recovered from the said truck.

Learned counsel for the petitioners submits that petitioner no.2, is the driver and petitioner no.1 is the co-driver of the said truck and they have got no criminal antecedents. Learned counsel further submits that the petitioners were plying the truck on the instruction of its owner and they were not at all



aware of the illicit liquor loaded therein. Learned counsel next submits that charge-sheet in the matter has already been submitted and petitioners are in custody since 30.09.2020.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioners are in custody since 30.09.2020 having no criminal antecedents and the charge-sheet has already been submitted in the matter, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, namely, ANIL KUMAR RAM and MD. AFSAR be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, (Excise), Purnea in connection with Baisi PS Case No. 235/2020 bearing Special Excise Case No. 390/2020.

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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