

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7769 of 2021

Arising Out of PS. Case No.-266 Year-2020 Thana- OBRA District- Aurangabad

GOLU KUMAR S/o BIGAN BHUIYAN R/o Village - Haneya, P.S. -
Kutumba, District – Aurangabad. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Ms. Sahin Begum

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 15-04-2021 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State, through Video

Conferencing.

The petitioner seeks regular bail in connection with
Obra Police Station Case No. 266 of 2020, disclosing offence
under Section 30 (a) of the Bihar Prohibition and Excise Act,
2016.

The allegation, as per the First Information Report, is
that the police intercepted one auto-rickshaw, in which the
petitioner, along with others, was sitting and a total quantity of
98.10 litres of illicit country-made liquor was recovered. The
co-accused disclosed that the auto-rickshaw belongs to one
Mukeh Kumar.

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 with oblique



notice. He further submits that the petitioner is not the owner of the said auto-rickshaw and he was sitting in the said auto-rickshaw as a bona fide passenger, having no knowledge about the illicit liquor being kept inside the auto-rickshaw. He next submits that the petitioner is in custody since 19.10.2020, having clean antecedent and charge sheet has already been submitted against the petitioner, as such 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 the petitioner is in custody since 19.10.2020, having no criminal antecedent and charge sheet has already been submitted in this case, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, 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 2nd Additional Sessions Judge -cum- Special Judge (Excise), Aurangabad, in connection with Obra Police Station Case No. 266 of 2020.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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