

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35235 of 2021**

Arising Out of PS. Case No.-36 Year-2021 Thana- BODHGAYA District- Gaya

KAUSHLENDRA SINGH S/o Chandeshwar Singh R/o village- Amwan, P.S.-
Bodhgaya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Jharkhandi Upadhyay

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

4 21-03-2022 Heard Mr. Sudhir Kumar Sinha, learned counsel for
the petitioner and learned A.P.P. for the State.

Petitioner seeks regular bail in connection with
Bodhgaya P.S. Case No. 36 of 2021 registered for the offence
under Sections 420, 467, 468, 471, 120 (A) of the IPC read with
Section 30 (a) / 36 / 41 (i) (c) (d) of the Bihar Prohibition and
Excise (Amendment) Act 2018 and 27 of the Arms Act .

Police on the basis of secret information that
consignment of liquor has been brought on a truck and other
vehicles, proceeded towards the place of occurrence and upon
seeing the police party, the accused persons started fleeing away.
However, the petitioner along with other accused persons were



arrested and from the Tata Magic vehicle of the petitioner 306 liters of illicit foreign liquor was recovered.

Learned counsel for the petitioner submits that petitioner has got no criminal antecedent and he has falsely been implicated in this case merely because he happens to be the owner of the vehicle from where illicit liquor has been recovered. He further submits that he is plying the vehicle on hire basis and the petitioner, being the owner, was not aware about illicit liquor being kept therein. Petitioner is in custody since 6 / 2 / 2021, charge sheet has already been submitted and there is no likelihood that petitioner will abscond or tamper with the evidence if released on bail.

Regard being had to the submissions made by the parties, taking into consideration the materials available on record, the fact that petitioner has got no criminal antecedent, he is in custody since 6-2-2021, charge sheet has already been submitted and there is no likelihood that petitioner will abscond or tamper with the evidence if released on bail, as such, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to



the satisfaction of learned A.S.J. II cum Special Judge, Excise
Act, Gaya in connection with Bodhgaya P.S. Case No.36 of
2021.

(Anil Kumar Sinha, J)

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