

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36307 of 2021

Arising Out of PS. Case No.-28 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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RAHUL KUMAR Son of Amarnath Paswan Resident of Village - Chhoti
Kesho, P.S.- Daulatpur, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-01-2022 Heard Mr. Dhananjay Kumar Pandey, learned
counsel for the petitioner and Mr. Sanjay Kumar Tiwary, learned
Additional Public Prosecutor appearing for the State through
video conferencing.

Petitioner seeks regular bail in connection with Excise
Complaint Case No. 28 of 2021 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

The Police intercepted a Tata Magic Pick-up van and
recovered 785.5 litres of illicit country made liquor from the
same and arrested two persons namely, Bishu Mandal (Driver)
and the petitioner. The petitioner was found sitting in the said
Pick-up van.



Learned counsel for the petitioner submits that the petitioner is neither the owner nor the driver of the vehicle in question, from which, the illicit liquor has been recovered. He further submits that the petitioner had taken a lift from the vehicle in order to reach the village and was not aware about the illicit liquor being kept therein. He further submits that the co-accused Bishu Mandal who was driver of the pick-up van, has been granted bail by this Court in Cr. Misc.30957 of 2021. The petitioner is in custody since 14.02.2021 having no criminal antecedent.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner has got no criminal antecedent, he is in custody since 14.02.2021, other co-accused person has been granted bail by this Court and charge sheet has already been submitted, 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 2nd Additional Sessions Judge, Banka, in connection with Excise Complaint Case No. 28 of 2021.

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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