

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.35882 of 2021

Arising Out of PS. Case No.-76 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Kishanganj

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1. KISHAN RISHIDEV S/O Vishundev Rishidev Resident of Vill - Kusha, P.S.- Simraha, District - Araria.
 2. Upendra Mandal S/O- Jhamele Mandal Resident of Vill.- Herigna Ward No. 12, P.S. - Raniganj, District - Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Navjot Yesu
For the Opposite Party/s : Ms. Pushpa Sinha No. 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 06-01-2022 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Special Case No. 76 of 2021, registered for the offences punishable under Sections 30 (a)/56 (b) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the prosecution Report, is that the excise officials intercepted one Zylo pick-up van and a total quantity of 810 litres of illicit liquor was allegedly recovered from the same and also apprehended the petitioners, who were sitting in the said pick-up van.



Learned Counsel for the petitioners, referring to paragraph 11 of this application, submits that the petitioners are not the owners of the vehicle in question and they had only taken lift in the said vehicle in order to reach their village and the persons (driver/owner), who were sitting in the said vehicle were succeeded in fleeing away. He further submits that the petitioners have got no criminal antecedent. He further submits that the petitioners are in custody since 22.02.2021 and charge sheet has been submitted against them and as such, there is no likelihood that the petitioners will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioners have got no criminal antecedent, charge sheet has already been submitted and the petitioner is in custody since 22.02.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge,



Kishanganj, in connection with Special Case No. 76 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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