

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37253 of 2021

Arising Out of PS. Case No.-653 Year-2020 Thana- SITAMARHI District- Sitamarhi

ADITYA KUMAR @ DERWA Son of Kamal Sah @ Kamal Prasad Resident
of Village - Mirchaipatti ward No.9, P.s. and Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate
For the Opposite Party/s : Md. Aslam Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-01-2022 Heard learned counsel for the parties.

Petitioner seeks regular bail in connection with Sitamarhi P.S. Case No. 653 of 2020 registered for the offence punishable under Section 414 / 34 of the I.P.C. and Section 30(a) / 36 of the Bihar Prohibition and Excise Act, 2016.

The allegation is that a Scorpio vehicle was intercepted by the Police and a total quantity of 353.880 liters of illicit liquor was recovered from the same and one person namely, Pradip Kumar was arrested and the name of the petitioner has transpired on the basis of confessional statement made by arrested co-accused /Pradip Kumar.

Learned counsel for the petitioner submits that petitioner is neither the owner nor the driver of the vehicle in question. Learned counsel further submits that the petitioner is



in custody since 28/02/2021 and charge sheet has already been submitted. He next submits that Pradip Kumar and Keshav Jha have been granted bail by a Co-ordinate Bench of this Court as well as this Court in Cr. Misc. No. 23704 of 2021 and 32571 of 2021 respectively.

Regards being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that no illicit liquor has been recovered from the conscious possession of the petitioner, he is in custody since 28.02.2021, the other co-accused persons have been granted bail 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 bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. II cum Special Judge, Excise Act, Sitamarhi, in connection with Sitamarhi P.S. Case No. 653 of 2020.

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

