

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39375 of 2021

Arising Out of PS. Case No.-387 Year-2021 Thana- KUDHNI District- Muzaffarpur

SUBHASH KUMAR Son of Baleshwar Sahni Resident of Village- Goraiya,
P.S.- Kurhani (Turki O.P.), District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nachiketa Jha
		Mr. Raghwendra Pratap Singh
For the Opposite Party/s	:	Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-01-2022 Heard learned counsel for the parties through video conferencing.

Petitioner seeks regular bail in connection with (G.R. Case No. 919 of 2021) Kudhani (Kudhni) (Turki O.P.) P.S. Case No. 387 of 2021 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Police intercepted a Bolero Pick-Up Van and recovered a total quantity of 45 liters 600 ml of illicit liquor from the same. The petitioner is the driver of the said vehicle.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case with oblique motive and at the time of search and seizure the procedures prescribed in the Bihar Prohibition & Excise Act, 2016 as well



as the Cr.P.C. have not been followed. He further submits that petitioner was plying the vehicle at the instance of its owner and was not aware about illicit liquor being kept therein, petitioner is in custody since 04-06-2021 and charge sheet has already been submitted.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner has got no criminal antecedent, he is in custody since 04/06/2021, charge sheet has already been submitted and the trial is not likely to be concluded in near future due to COVID 19 Pandemic, 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. 10000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, Muzaffarpur in connection with (G.R. Case No. 919 of 2021) Kudhani (Kudhni) (Turki O.P.) P.S. Case No. 387 of 2021.

(Anil Kumar Sinha, J)

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