

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42094 of 2021**

Arising Out of PS. Case No.-52 Year-2021 Thana- MAHINDWARA District- Sitamarhi

1. KUMAR PRINCE SAURABH S/O Late Murari Singh @ Murari Prasad Singh R/O Village Chakka Rasalpur, P.S. Dumra, District - Sitamarhi.
2. Chandan Kumar Singh S/O Late Ram Sahay Singh R/O Village Chakka Rasalpur, P.S. Dumra, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, A.P.P. A.G

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

2      01-02-2022                      Heard Mr. Santosh Kumar, learned counsel for the petitioners and Ms. Sangeeta Sharma, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners seek regular bail in connection with Mahindwara P.S. Case No. 52/2021 registered for the offence punishable under Sections 30/30(A) of the Bihar Prohibition and Excise Act, 2016.

As per the First Information Report, a car which was being driven by the petitioner No. 1, was intercepted by the Police and a total quantity of 72 litres of illicit foreign liquor was recovered from the same. The petitioner No. 2 was found sitting in the said car.



Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case by the Police. He further submits that the car was hired on rental basis by the other co-accused who was sitting on the back seat of the car and petitioner No. 2 had boarded the Car in order to reach Muzaffarpur town. He next submits that the petitioner No. 1 being the driver was not aware about the illicit liquor being kept therein by the passenger and/or by its owner. The petitioners have got no criminal antecedents, they are in custody since 28.3.2021 and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioners have got no criminal antecedents, they are in custody since 28.03.2021, 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 petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions



Judge II – cum – Special Judge (Excise), Sitamarhi, in connection with Mahindwara P.S. Case No. 52 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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