

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47549 of 2021

Arising Out of PS. Case No.-225 Year-2020 Thana- BHAGWANPUR District- Begusarai

RAJNESH KUMAR @ RAJAN KUMAR S/o LAKHINDRA PASWAN R/o
VILLAGE-CHNDAUR, P.S- BHAGWANPUR, DISTRICT-BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hare Krishna Prasad

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-02-2022 Heard learned counsel for the parties through virtual court proceeding.

Petitioner seeks regular bail in connection with Bhagwanpur P.S. Case No. 225 / 2020 registered for the offence under Sections 30(a), 32 , 27, 41(1) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case in brief is that Police got secret information that the petitioner along with other accused persons have brought consignment of illicit liquor on a Pick Up Van, proceeded towards the place of occurrence and upon seeing the Police party the accused persons fled away, however, Police recovered 276.480 liters of foreign liquor from the Pick UP Van in question.

Learned counsel for the petitioner submits that



petitioner has been made accused in this case on the basis of secret information received by the Police and he has not committed any offence in the manner alleged. He further submits that petitioner is not the owner of the Pick Up Van from where illicit liquor has been recovered and the co-accused / Guddu Chaudhary and Ajeet Mahto having similar allegation have been granted bail by different Co-ordinate Benches of this Court in Cr. Misc. No. 23656 of 2021 & Cr. Misc. No. 36415 / 2021 , petitioner has one criminal antecedent i.e. Bhagwanpur P.S. Case No. 171 / 2020 registered for the offence under Section 30 (a) of the Bihar Prohibition and Excise Act , 2018 and he is in custody since 25-03-2021.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner is not the owner of the Pick Up Van from which illicit liquor has been recovered, the similarly situated co-accused have been granted bail by different Co-ordinate Benches of this Court, petitioner is in custody since 25 / 03 / 2021 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 Additional Sessions Judge-II- cum - Special Judge, Excise Act, Begusarai in connection with Bhagwanpur P.S. Case No. 225 / 2020 (State of Bihar Versus Rajnesh Kumar @ Ranjan Kumar).

(Anil Kumar Sinha, J)

praful/-

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