

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49917 of 2021

Arising Out of PS. Case No.-401 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

NAVEEN KUMAR S/o RAJENDRA CHOUDHARY R/o VILLAGE-
GARHARA, P.S-BARAUNI (GARHARA O.P), DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-03-2022 Heard Mr. Shivjee Singh, learned counsel for

the petitioner and Mr. Nitya Nand Tiwary, learned

Additional Public Prosecutor appearing for the State

through video conferencing.

Petitioner seeks regular bail in connection with

Begusarai Town P.S. Case No. 401 of 2021 registered

for the offence punishable under Sections 30(A), 32(2)

and 41(a) of the Bihar Prohibition and Excise Act,

2016.

A pick up van was intercepted by the Police

which was being driven by the petitioner and upon

search a total quantity of 1166.4 litres of illicit foreign



liquor was recovered.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent and he has falsely been implicated in this case merely because he happens to be the driver of the pick up van and unknown owner of pick up van has been made accused in the First Information Report. He further submits that petitioner, being the driver, was not aware about the illicit liquor being kept in the pick up van at the instance of its owner, and the co-accused who was sitting along with the petitioner in the pick up van, has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. 49196 of 2021. The petitioner is in custody since 1.7.2021.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner has got no criminal antecedent, he is in custody since 1.7.2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the



evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (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 Begusarai Town P.S. Case No. 401 of 2021.

(Anil Kumar Sinha, J)

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