

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50011 of 2021

Arising Out of PS. Case No.-44 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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PRINCE KUMAR Son of Virendra Mandal @ Birendra Mandal Resident of
Village - Pachna Road, near- Bharat mata Mandir, P.s.- Kabaiya, Distt.-
Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-02-2022 Heard Mr. Rabi Bhushan, learned counsel for the

petitioner and Mr. Bisheshwar Ram, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

Excise Case No. 44c²/2021 registered for the offence

punishable under Sections 30(a), 32, 41 and 56(a) of the

Bihar Prohibition and Excise (Amendment) Act, 2018.

The Excise Officials intercepted four persons

coming from train and out of them, two persons fled away

whereas two persons including the petitioner were

apprehended and on search, a total quantity of 91.125 litres



of illicit foreign liquor kept in the sack/jute bag has been recovered.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and he has not committed any offence in the manner alleged. He further submits that the petitioner is in custody since 6.3.2021 and no illicit liquor has been recovered from his conscious possession. He also submits that the charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence. He next submits that similarly situated co-accused Mukesh Kumar has been granted bail by this Court in Cr. Misc. 43116 of 2021.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner is in custody since 6.3.2021, 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 bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-IIInd-cum-Special Judge (Excise), Lakhisarai, in connection with Excise Case No. 44C²/2021.

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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