

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49929 of 2021

Arising Out of PS. Case No.-112 Year-2021 Thana- SAHEBPUR KAMAL District-
Begusarai

BIKRAM KUMAR S/o BHAGASHALI CHOUDHARY R/o VILLAGE-
BAHADUR NAGAR, P.S-MUFFASIL, DISTRICT-BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 50145 of 2021

Arising Out of PS. Case No.-112 Year-2021 Thana- SAHEBPUR KAMAL District-
Begusarai

BHAGYASHALI CHAUDHARY S/o Indradeo chaudhary R/O Village -
Bahadur Nagar, P.S. - Muffasil, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 58044 of 2021

Arising Out of PS. Case No.-112 Year-2021 Thana- SAHEBPUR KAMAL District-
Begusarai

KUNDAN SINGH @ SAURAV RAJ Son of Yadunandan Singh @
Radunandan Singh Resident of Village - Mohanpur, P.S.- S. Kamal, District -
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 49929 of 2021)

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Akshay Lal Pandit

(In CRIMINAL MISCELLANEOUS No. 50145 of 2021)

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Akshay Lal Pandit

(In CRIMINAL MISCELLANEOUS No. 58044 of 2021)



For the Petitioner/s : Mr. Shekhar Kumar Singh
For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 01-04-2022 Heard the parties *via* virtual mode.

All these three bail applications have been heard together and are being decided by a common order as they arise out of same PS case i.e., Sahebpur Kamal PS Case No. 112/2021.

Petitioners seek regular bail in connection with Sahebpur Kamal PS Case No. 112/2021 registered for the offence punishable under Sections 414, 272, 273 of the IPC and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per First Information Report, the police intercepted a pickup van and recovered 279 litres of illicit foreign liquor and the driver of the said van was also arrested, however, two persons succeeded in fleeing away. It is further stated that the arrested accused person disclosed the name of petitioners and upon his disclosure, the police raided a spot and recovered 1701 litres of illicit liquor along with one motorcycle upon which some cartons of liquor were kept in a bag.

Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have been arrested on the disclosure of their



name by arrested accused person. It has further been submitted that the petitioners, namely, Bikram Kumar (Cr. Misc. No. 49929/2021) and Bhagyashali Chaudhary (Cr. Misc. No. 50145/2021) have got no criminal antecedents while petitioner namely, Kundan Singh @ Saurav Raj (Cr. Misc. No. 58044/2021) has got one criminal antecedent wherein he has been granted bail by a Co-ordinate Bench of this Court. Learned counsel next submits that the illicit liquor has not been recovered from their possession except 18 litres of illicit liquor kept on the motorcycle belonging to Bikram Kumar. Learned counsel next submits that the petitioners, namely, Bikram Kumar (Cr. Misc. No. 49929/2021) and Bhagyashali Chaudhary (Cr. Misc. No. 50145/2021) are in custody since 25.05.2021 while petitioner, Kundan Singh @ Saurav Raj (Cr. Misc. No. 58044/2021) is in custody since 28.07.2021.

Learned counsel also submits that the charge-sheet has been submitted in the matter and there is no likelihood that the petitioners will abscond or tamper with the evidences, if they are granted regular bail.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that the petitioners are in custody since 25.05.2021 and



28.07.2021 respectively, the charge-sheet has been submitted in the matter and there is no likelihood that the petitioners will abscond or tamper with the evidences, if they are granted regular bail, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, namely, 1. Bikram Kumar (Cr. Misc. No. 49929/2021), 2. Bhagyashali Chaudhary (Cr. Misc. No. 50145/2021) and 3. Kundan Singh @ Saurav Raj (Cr. Misc. No. 58044/2021) be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Begusarai in connection with Sahebpur Kamal PS Case No. 112/2021.

(Anil Kumar Sinha, J)

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