

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17817 of 2019

Arising Out of PS. Case No.-26 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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1. VIKKI KUMAR Son of Sajjan Chaudhary @ Sajjan Chaubey, Resident of Village - B-3 Sadhe 12 Gag 842, Ragbinagar, P.S.- Rajauri, Garden, Delhi, At present B-3/835, 12.5 Yard, Raghubirnagar, P.S.- Rajauri Garden, West Delhi.
 2. Chintu Kumar @ Pintu Kumar Son of Nunulal Bhagat Resident of Village - Khopauti, P.S.- Saur Bazar, Distt.- Saharsa (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar
For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

This is an application for grant of regular bail filed on behalf of the petitioners. Petitioners are in custody in connection with Excise Case No. 26 of 2019 for the alleged offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation in the instant case is that total 198.435 liters of liquor was seized from an Inova vehicle. Learned counsel representing the petitioners submits that petitioners have no criminal antecedent and nothing was recovered from



their conscious possession. They are neither the owner of the vehicle nor owner of the seized liquor. Petitioners are in custody since 28.01.2019.

Considering the fact that petitioners have no criminal antecedent, nothing was recovered from the conscious possession of the petitioners and they have remained in custody since 28.01.2019, this application is allowed.

Accordingly, let the petitioners above-named, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Addl. District Judge 1st-cum-Special Judge, Gopalganj in connection with Excise Case No. 26 of 2019 subject to the condition that the bailors should be the family members of the petitioners.

(Anil Kumar Upadhyay, J)

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