

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84015 of 2019

Arising Out of PS. Case No.-327 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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1. Suresh Kumar, S/o Azad Singh, Resident of Buddh Bihar (Delhi 86), P.S.-
Vijay Bihar, Distt.- New Delhi, State- New Delhi
 2. Mohit Rajpoot, S/o Saudan Singh, R/o village- Palipata Pur, P.S.- Buland
Shahar, Distt.- Buland Shahar, State- Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mrs. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 18-12-2019 Heard learned counsels for the petitioners and the
State.

The petitioners are languishing in custody since 17.09.2019
in a case registered for the offence punishable under Section
30(a) of the Bihar Prohibition and Excise Act, 2016 as amended
by Amendment Act 8 of 2018.

The prosecution case is that from a car, 420 litres of Indian
Made Foreign Liquor were recovered. It is alleged that the



petitioners were found sitting in the seized car.

It is submitted by learned counsel for the petitioners that the petitioners were simply passengers in the alleged vehicle and they were not aware about the liquor being transported in the seized car. It is further submitted that the petitioners are not having any concern either with the seized liquor or with the car, statement to that effect has been made in paragraph no. 6 of the petition, which reads as follows:-

“That petitioners respectfully state and submit that they have no concern either with the so-called seized wine or with the seized vehicle or with the place from where the wine was allegedly recovered.”

A further statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners were found sitting in the alleged car from which seizure was made.

Considering the fact that investigation has already been concluded and the period under custody, coupled with the fact that the petitioners are not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned 2nd Addl. Sessions Judge-cum-Special Judge, Excise, Gopalganj in



connection with Excise Case No. 327 of 2019.

(Dinesh Kumar Singh, J)

Amrendra/-

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