

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18661 of 2020

Arising Out of PS. Case No.-177 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Kaimur (Bhabua)

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1. Kaushal Kumar, aged about 50 years (Male), Son of Late Krishan Kumar alias Krishna Kumar Jain, Resident of Jail Road, P.S. Arrah Town, District Bhojpur.
 2. Pappu Prasad, aged about 30 years (Male), Son of Late Dinanath Prasad, Resident of Mohalla Prakashpuri, P.S. Arrah Town, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.A. Shamsi, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-05-2020 Heard Mr. N.A. Shamsi, learned counsel for the petitioners and Mr. Navin Kumar Pandey, learned counsel appearing for the State through video conferencing.

Petitioners seek regular bail in connection with Excise Case No. 177 of 2020 (P.R. No. 17 of 2019-20) registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

The allegation as per the prosecution report of the Excise Official is that on the basis of secret information received on 24.02.2020 a search operation was conducted and one *Tavera* vehicle was intercepted from where 458.520 liters



of illicit liquor was recovered from the dickey of the vehicle.

Learned counsel for the petitioners submits that petitioners have not committed any offence in the manner alleged. Learned counsel referring to paragraph no. 8 of the bail petition submits that petitioners are not the owner of the vehicle in question and they had taken only a lift from the said vehicle to reach their destination. Learned counsel further submits that petitioners are in custody since 24.02.2020.

Having heard learned counsel for the parties and taking into consideration the fact that the seized illicit liquor has not been recovered from the conscious possession of the petitioners, they are not the owner of the vehicle in question, they are having no criminal antecedent and are in custody since 24.02.2020, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Spl. Judge (Excise), Kaimur at Bhabhua in connection with Excise Case No. 177 of 2020 (P.R. No. 17 of 2019-20).

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding



lockdown and social distancing.

(Anil Kumar Sinha, J)

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