

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21565 of 2020

Arising Out of PS. Case No.-124 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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1. VIKASH KUMAR S/o Ganga Choudhary Resident of Village-Meghraj Bigha, Police Station-Aurangabad (Muffasil), District-Aurangabad (Bihar).
 2. Chhotu Singh S/o Mathura Singh Resident of Village-Amauna, Police Station-Risiap, District-Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-07-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID-19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and Shri Ganesh Prasad, learned A.P.P. for the State.

The petitioners seek regular bail in connection with Excise Case No. 124 of 2020 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 112.5 litres of illicit country made liquor from a tempo.

The learned counsel for the petitioners has submitted that



the petitioners are innocent, they have been falsely implicated in the present case and are languishing in custody since 06.02.2020. It is further submitted that the petitioners are not the owner of the tempo and in fact no illicit liquor has been recovered from the conscious possession of the petitioners.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the fact that the petitioners are not the owner of the tempo and they are having clean antecedent, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the petitioners, above named, are directed to be released 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 learned A.D.J.-VII-cum-Special Judge (Excise), Aurangabad in connection with Excise Case No. 124 of 2020.

(Mohit Kumar Shah, J)

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