

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21038 of 2020

Arising Out of PS. Case No.-147 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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1. MUKESH KUMAR Son of Gora Ram Resident of Village - Sector -8- Bokaro, P.S.- Sector - 9, District - Bokaro (Jharkhand).
 2. Anil Kumar Son of Haradhan Dev Resident of Village- Kanfatta, P.S.- Sector - 9, District - Bokaro (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-06-2020 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 Atul Chandra, learned A.P.P. for the State.

The petitioners seek regular bail in connection with Excise Case No. 147 of 2020 for the offence punishable under Section 30(a) of the Bihar Prohibition of Excise Act, 2018.

The allegation is regarding recovery of 86.625 litres of illicit liquor from a Honda car.

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



06.03.2020. The learned counsel for the petitioners has further submitted that the petitioners are neither the driver nor the owner of the said car, hence they are not having any complicity in the matter.

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 as also taking into account the fact that the petitioners are neither the driver nor the owner of the car in question from which the illicit liquor has been recovered and 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 Special Judge (Excise), Gaya in connection with Excise Case No. 147 of 2020.

(Mohit Kumar Shah, J)

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