

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21004 of 2020**

Arising Out of PS. Case No.-17 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.  
District- Banka

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SHIVNATH DEY Son of Sri Vinod Dey Resident of Village - Chas, P.S.-  
Chas, District - Bokaro (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Naresh Prasad  
For the Opposite Party/s : Ms. Anita Kumar Singh.

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      25-06-2020                      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.

Heard the learned counsel for the petitioner the  
learned APP for the State.

The petitioner seeks regular bail in connection  
with Excise Complaint PS case no. 17 of 2020 instituted for the  
offences punishable under Section 30(a) of Bihar Prohibition  
and Excise Act, 2016.

The allegation is regarding recovery of 892  
liters of illicit liquor from a Bolero Pick-up van and the  
petitioner is stated to be the driver of the same.



The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. The petitioner is said to be languishing in custody since 28.02.2020. The learned counsel for the petitioner has further submitted by referring to paragraph no. 8 of the present petition that the petitioner is the driver of the vehicle in question and the paid employee of the owner of the pick-up van in question, hence has got no concern with the material loaded on the pick-up van and if at all anyone is having any concern, it is the owner of the said pick-up van.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that the petitioner is the driver of the pick-up van in question, from which illicit liquor has been recovered and is having a clean antecedent as also is languishing in custody since 28.02.2020, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-cum-Special Judge, Excise



Act, Banka in connection with Excise Complaint case no. 17 of  
2020.

**(Mohit Kumar Shah, J)**

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