

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34942 of 2020

Arising Out of PS. Case No.-150 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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DILIP KUMAR S/o Bhola Prasad @ Bhola Bhagat R/o Village- Bhawarua,
(Bhagrua), P.S.- Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satyendra Rai

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-12-2020 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 appearing for the petitioner and Shri Ashok Kumar, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Excise Case No. 150 of 2020 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 41.280 litres of illicit liquor from an Alto car.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 05.07.2020. The learned counsel for the



petitioner has further submitted that the Alto car in question does not belong to the petitioner and in fact the petitioner had taken a lift and when the police had apprehended the car, while the petitioner was caught by the police, the driver had fled away.

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 petitioner and taking into account the fact that the petitioner is not the owner of the Alto car from which illicit liquor has been recovered and moreover he is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-2nd-cum-Special Judge, Excise, Gopalganj in connection with Excise Case No. 150 of 2020.

(Mohit Kumar Shah, J)

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