

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35256 of 2020

Arising Out of PS. Case No.-167 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

-
1. ANIL KUMAR S/o Rambabu Prasad R/o village- Pipara Bajar, P.S.- Pipara, District- Motihari
 2. Bittu Kumar S/o Dinesh Kumar R/o village- Mahrani, P.S.- Pipara, District- Motihari
 3. Awnish Kumar Tiwari S/o Madan Tiwari R/o village- Vishunpur, P.S.- Pipara, District- Motihari

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Adv.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-12-2020 Heard Mr. Krishna Kant Singh, learned counsel for the petitioners and Mr. Lakshmi Kant Sharma, Additional Public Prosecutor for the state through video conferencing.

2. Petitioners seek regular bail in connection with Excise Case No. 167/2020 registered for the offence punishable under Section 30(a) of Bihar Prohibition & Excise Act.

3. The allegation, as per prosecution case, is that the Excise Officials intercepted one car bearing Registration No. BR01AT-3942 and recovered total quantity of 72.060 litres of illicit liquor and arrested four persons including these petitioners and one driver from the said car.

4. Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged



and they have falsely been implicated in this case with oblique motive. Learned counsel further submits that the illicit liquor has been recovered from the dickey of the car and the car was not being driven by the petitioners.

5. Learned counsel, referring to para-7 of the petition, submits that the petitioners are not the owner of the said car. Learned counsel further submits that petitioners are in custody since 14.07.2020 having no criminal antecedents.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioners are in custody since 14.07.2020 having no criminal antecedents, I am inclined to grant regular bail to the petitioners.

7. Accordingly, let the petitioners, named above, 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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Gopalganj in connection with Excise Case No. 167/2020.

8. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

perwez

U		T	
---	--	---	--

