

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31478 of 2021

Arising Out of PS. Case No.-93 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Kishanganj

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1. ANIL KUMAR Son of Late Ramjas Paswan R/o- Mustafaganj, P.S.- Minapur, District - Muzaffarpur, Bihar
 2. Jitendra Kumar Son of Pragash Rai R/o- Vasudev Chhapra, P.S.- Minapur, District - Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary, Advocate
Mr. Sumit Shekhar Pandey
For the Opposite Party/s : Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 20-12-2021 Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners seek regular bail in connection with Special Case No. 93 of 2021 registered as C.I.S. - 93 of 2021 for the offences under Sections 30(a) / 56 (b) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation as per the prosecution report is that Excise Officials intercepted a Tata Sumo Gold vehicle and recovered a total quantity of 200 liters of illicit foreign liquor kept in four chambers specially built in the vehicle.

Learned counsel for the petitioners submits that petitioners have not committed any offence in the manner alleged and they are is not the driver and / or owner of the vehicle in question. He next submits that petitioners have got no criminal antecedent and they are in custody since 03/03/2021.



He also submits that petitioners were travelling in the vehicle as passengers, charge sheet has already been submitted and there is no likelihood that the petitioners will abscond or tamper with the evidence if released on bail.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioners are not the owner of the vehicle and / or its driver, they are in custody since 03-03-2021 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge- cum- Special Judge Excise, Kishanganj, Bihar in connection with Special Case No. 93 of 2021 registered as C.I.S. - 93 of 2021.

(Anil Kumar Sinha, J)

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