

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30928 of 2021**

Arising Out of PS. Case No.-105 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.  
District- Banka

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SHYAM KUMAR SON OF RAMDAS PASWAN R/O VILLAGE- ALAPUR  
(WARD NO. 4), P.S.- TOGHRA, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Bipin Kumar  
For the Opposite Party/s : Mr. Bishweshwar Ram

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      10-12-2021                      Heard Mr. Bipin Kumar, learned counsel for the  
  
petitioner and Mr. Bishweshwar Ram, learned A.P.P. for the  
  
State.

Petitioner seeks regular bail in connection with  
Excise Complaint Case No. 105 of 2020 registered for the  
offence under Section 30 (a) of the Bihar Prohibition and Excise  
(Amendment) Act 2018.

The allegation is that the tempo which was being  
driven by the petitioner was intercepted by the Police and a total  
quantity of 125.4 liters of illicit liquor was recovered from  
the same.

Learned counsel for the petitioner submits that  
petitioner has falsely been implicated in this case inasmuch as



petitioner is not the owner of the tempo in question and on the instruction of its owner the tempo was being driven by the petitioner and the petitioner was not aware about the illicit liquor being kept in the said tempo. He next submits that petitioner has got no criminal antecedent , he is in custody since 08-12-2020 and charge sheet has already been submitted.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner is in custody since 08/12/2020 having no criminal antecedent, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II-Excise Act, Banka / court concerned in connection with Excise Complaint Case No. 105 of 2020.

**(Anil Kumar Sinha, J)**

praful/-

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