

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32292 of 2021

Arising Out of PS. Case No.-61 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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1. TRIBHUWAN SINGH @ SHANI @ TRIBHUVAN SINGH @ TRIBHUN SINGH SON OF BASUDEV SINGH @ BASUDEV R/O VILLAGE-KHARIKA (MOTIPURA), P.S.- UMARI, DISTRICT- BHIND (M.P.)
 2. SHIVAM SINGH SON OF WAKIL SINGH R/O VILLAGE-LATURI SINGH KAPURA (DHOCHARA), P.S.- UMARI, DISTRICT- BHIND (M.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-12-2021 The instant case 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 for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Excise Case No. 61 of 2021, registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and



Amendment Excise Act, 2018.

The allegation is regarding recovery of 63.48 liters of illicit liquor from beneath the seat of a bus and the petitioner no. 1 is stated to be the driver while the petitioner no. 2 is stated to be cleaner.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case, they are having clean antecedent and they are languishing in custody since 24.2.2021. The learned counsel for the petitioners has further submitted that the illicit liquor belongs to a passenger of the said bus inasmuch as the same was recovered from beneath the seat of the passenger and the petitioners do not have any complicity in the alleged occurrence.

Per contra, the learned APP 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



petitioners and taking into account the materials available on record as also considering the period of incarceration of the petitioners herein, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum Special Judge (Excise), Gopalganj in connection with Excise Case No. 61 of 2021.

(Mohit Kumar Shah, J)

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