

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36339 of 2021

Arising Out of PS. Case No.-18 Year-2021 Thana- CHAUTHAM District- Khagaria

1. BIPIN SHARMA S/O MAHENDRA SHARMA R/o village- Bela, P.S.- Beldour, District- Khagaria
2. Deepak Kumar S/o Baiju Sharma R/o village- Bela, P.S.- Beldour, District- Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-12-2021 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Choutham P.S. Case No. 18/2021, registered for the offence punishable under Sections 30(a)(d)(e), 33 and 36 of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 240 liters of spirit from a vehicle.

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 27.1.2021. The learned counsel for the petitioners has further submitted by referring to paragraph no. 9 of the present petition that they are neither the owner of the seized vehicle nor that of the illicit liquor.

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 as available on record as also considering the fact that the petitioners are not the owner of the seized vehicle in question and they are languishing in custody since 27.1.2021, 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 Session Judge,
2nd-cum-Special Judge Excise Act, Khagaria in
connection with Choutham P.S. Case No. 18/2021.

(Mohit Kumar Shah, J)

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