

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36651 of 2020**

Arising Out of PS. Case No.-360 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.  
District- Gaya

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1. SANDEEP KUMAR Son of Sheonandan Paswan @ Shivnandan Paswan  
Resident of Village - Tetariya (Karmauni), P.S.- Dobhi, District- Gaya
  3. Vikas Paswan Son of Manoj Paswan Resident of Village - Tetariya  
(Karmauni), P.S.- Dobhi, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Tabish Sharfuddin

For the Opposite Party/s : Mr.Raj Kishore Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      30-01-2021                      Heard the learned counsel for the petitioners and  
  
Shri Raj Kishore Singh, the learned A.P.P. appearing for the  
  
State.

The petitioners seek regular bail in connection with  
Excise P.S. Case No. 360 of 2020 for the offence punishable  
under Sections 30(a) and 56(b) of the Bihar Prohibition and  
Excise Act, 2018.

The allegation is regarding recovery of 200 liters of  
country made wine from a tempo in which the petitioners were  
found sitting.

The learned counsel for the petitioners has submitted  
that the petitioners are innocent, have been falsely implicated in  
the present case, are having a clean antecedent and are



languishing in custody since 12.09.2020. The learned counsel for the petitioners has further submitted that the tempo in question does not belong to the petitioners and they were only co-passenger in the said tempo. It has also been stated in paragraph no. 12 of the present petition that seized liquor was not recovered from the conscious possession of the petitioners.

Per contra, the learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail, made by the petitioners.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the parties and taking into account the fact that the petitioners are stated to be the co-passengers of the said tempo in question and are having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya in connection with Excise P.S. Case No. 360 of 2020.

**(Mohit Kumar Shah, J)**

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