

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40422 of 2020

Arising Out of PS. Case No.-125 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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1. SOHAN KUMAR Son of Suresh Singh Resident of Village - Pahsara, P.S.- Navkothi, District - Begusarai.
 2. Pankaj Singh Son of Late Ram Charitra Singh Resident of Village - Rudauli, P.S.- Bachhwara, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-03-2021 Heard Mr. Sanjeev Kumar, learned counsel for the petitioners and Mr. Jai Narain Thakur, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners seek regular bail in connection with Excise Case No. 125 C²/20 registered for the offences punishable under Sections 30(a), 32, 41 and 56(a) of the Bihar Prohibition and Excise Act, 2018.

The allegation as per the First Information Report is that one Tata Sumo vehicle was intercepted by the Police and a total quantity of 162.750 litres of illicit foreign liquor was recovered from the same and the petitioners were found sitting in the said vehicle.



Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case with oblique motive and they have got no criminal antecedents. Learned counsel further submits that the petitioners are neither owner of the vehicle nor its driver and were travelling in the same as passengers. Learned counsel also submits that the illicit foreign liquor has not been recovered from conscious possession of the petitioners and they are in custody since 19.09.2020. Learned counsel next submits that Charge sheet has already been submitted in the matter and there is no likelihood that the petitioners will abscond or tamper with the evidence.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that the petitioners have got no criminal antecedents, they are in custody since 19.09.2020 and charge sheet has already been submitted in the matter as well as there is no likelihood that the petitioners will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions



Judge Excise, Lakhisarai, in connection with Excise Case No.
125 C²/20.

It is made clear that at the time of furnishing bail
bonds all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J)

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