

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.674 of 2021**

Arising Out of PS. Case No.-255 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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VIJAY KUMAR, SON OF DUKHI CHAUDHARY RESIDENT OF
VILLAGE- CHANDRAMA HATA, P.S.- BARAHARIA, DISTRICT-
SIWAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate

For the Opposite Party/s : Mr. A.L. Pandit, APP

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

2 08-03-2021 Heard Mr. Vyas Kumar Mishra, learned Counsel for

the petitioner and Mr. A. L. Pandit, learned Additional Public

Prosecutor for the State, through Video Conferencing.

This application, for grant of regular bail, arises out
of Excise Case No. 255 of 2020, disclosing offences under
Section 30(a) of the Bihar Prohibition and Excise Amendment
Act, 2018.

The allegation, as per the prosecution report is that
Wagonr car was intercepted by Excise Official and a total
quantity of 242 litres of illicit liquor has been recovered.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case due to oblique



motive. Learned counsel next submits that petitioner is neither the owner of the car nor driver and he was travelling in a car, as a passenger. Learned counsel next submits that petitioner is in custody since 24.09.2020 having no criminal antecedent. Learned counsel further submits that the illicit liquor has not been recovered from the conscious possession of the petitioner.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioner is neither the owner of the car nor the driver and he is in custody since 24.09.2020 having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Vijay Kumar, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Additional District and Sessions Judge-II-cum-Special Judge, Excise, Gopalganj, in connection with Excise Case No. 255 of 2020.

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

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(Anil Kumar Sinha, J.)

