

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3965 of 2021

Arising Out of PS. Case No.-216 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Araria

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1. Narayan Kumar Rai @ Narayan Kumar Roy (M) aged about 23 years, S/o- Anil Roy.
 2. Ravi Roy @ Rabi Roy (M) aged about 21 years, Son of Ram Roy
Both Resident of Village - Champasari, Anchal Babu Bazar, P.S.- Bhakti Nagar, District - Jalpaiguri (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Onkar Nath

For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 07-04-2021 Heard Mr. Onkar Nath, learned counsel for the petitioners and Mr. Nawal Kishore Prasad, learned counsel appearing for the State through video conferencing.

Petitioners seek regular bail in connection with Spl. Case No.216 of 2020 (CIS No. 216 of 2020) registered for the offence under Section 30 (a) and 56 (b) of the Bihar Prohibition and Excise Act, 2016.

The allegation is that the Excise Officials intercepted a Pick-Up vehicle and recovered 855 liters of illicit foreign liquor from the same.

Learned counsel for the petitioners submits that petitioners have not committed any offence in the manner



alleged and they have falsely been implicated in this case merely because the petitioner no. – 1 is the driver and petitioner – no. 2 is the Cleaner of the said vehicle which was being plied by them at the instruction of their owner. Learned counsel next submits that petitioners were not aware about the fact that illicit liquor was kept therein. Learned counsel further submits that petitioners have got no criminal antecedent and they are in custody since 07.09.2020 and charge sheet has already been submitted.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the materials available on record, the fact that petitioners have got no criminal antecedent, they are in custody since 07.09.2020 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge-II-cum-Special Judge (Excise), Kishanganj in connection with Special Case No. 216 of 2020 (CIS No. 216 of 2020).

It is made clear that at the time of furnishing bail bond



all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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