

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 8272 of 2021**

Arising Out of PS. Case No.-323 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.  
District- Gopalganj

SHYAM KUMAR NISHAD S/o Bhulan Sahni R/o village- Vigo Jamalpur,  
P.S.- Laheriya Sharay, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Harendra Prasad, Advocate  
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      26-05-2021                      Heard learned counsel for the petitioner and learned  
counsel for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Excise Case no. 323 of 2020 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, 216 litres of liquor was recovered from a Honda City car being driven by this petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is not the owner of the vehicle but is only a driver. No incriminating article has been recovered from the vehicle being driven by him. He is in custody since 14.11.2020 and has no criminal antecedent.

The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner not having any criminal antecedent, the



Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Excise Case no. 323 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge II-cum-Special Judge, Gopalganj.

**(Partha Sarthy, J)**

Prakash /-

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