

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2099 of 2022

Arising Out of PS. Case No.-388 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Saran

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1. NAVIN Son of Jagbir @ Jagbir Singh Resident of Village - Vikash Nagar Colony, Near Chhotu Ram School, P.s.- Sector-29, Distt.- Panipat (Haryana)
 2. Deepak Son of Mahavir Resident of Village - Vikash Nagar Colony, Near Chhotu Ram School, P.s.- Sector-29, Distt.- Panipat (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-05-2022 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek regular bail in connection with
Excise FIR No. 388 of 2021, arising out of Excise Case No. 233
of 2021, registered for the offences punishable under Sections
30 (a)/32 (2) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the prosecution Report, is
that the excise officials intercepted one Force (Cruiser) vehicle
and recovered a total quantity of 468 litres of illicit liquor from
the said vehicle and the petitioners, who were the driver and
cleaner of the said vehicle, were arrested.

Learned Counsel for the petitioners submits that the



petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case with oblique motive. He further submits that the petitioners are the driver and cleaner of the vehicle in question and they were plying the said vehicle at the instruction of its owner and they were not aware about the illicit liquor being kept in the said vehicle. He further submits that the petitioners are in custody since 03.12.2021, having no criminal antecedent.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that the petitioners are the driver and cleaner of the vehicle, charge sheet has already been submitted and the petitioners are in custody since 03.12.2021, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioners, above named, be released on bail, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Saran, in connection with Excise FIR No. 388 of 2021, arising out of Excise Case No. 233 of 2021, subject



to the condition that one of the bailors shall be of local district.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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