

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21068 of 2022

Arising Out of PS. Case No.-37 Year-2022 Thana- PHULWARIYA District- Gopalganj

1. SARWESH KUMAR Son of Birendra Sah Resident of Village - Daudpur, P.S.- Paru, Distt.- Muzaffarpur.
2. Rahul Kumar Son of Fuldev Paswan Resident of Village - Daudpur, P.S.- Paru, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra

For the Opposite Party/s : Mr.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-05-2022 Heard the parties.

Petitioners seek regular bail in connection with Fulwariya PS Case No. 37/2022 registered for the offence punishable under Section 30(a) of Bihar Prohibition & Excise Act.

The police intercepted an Alto Car and recovered 78.3 litres of illicit foreign liquor and arrested the petitioners from the said car.

Learned counsel for the petitioners submits that the petitioners being driver and co-passenger were not aware about the illicit liquor kept inside the car. He further submits that no illicit liquor has been recovered from the conscious possession



of the petitioners and they are in custody since 06.02.2022 having no criminal antecedents.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that no illicit liquor has been recovered from the conscious possession of the petitioners and they are in custody since 06.02.2022 having no criminal antecedents and there is no likelihood that the trial will be concluded in near future, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Court No-1, Gopalganj in connection with Fulwariya PS Case No. 37/2022.

(Anil Kumar Sinha, J)

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