

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31934 of 2021

Arising Out of PS. Case No.-90 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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LALAN SAH Son of Late Bhairo Sah Village - Hafwa Bliram, P.S. - Taraiya
Sujaan, Dist.- Kushi Nagar (U.P)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sushil Kumar, Advocate.

For the Opposite Party/s : Mr. Aditya Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 02-03-2022 Heard Mr. Sushil Kumar, learned counsel for the

petitioner and Mr. Aditya Narayan Singh, learned Additional

Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Excise
Case No. 90 of 2021 registered for the offence punishable under
Section 30(A) of the Bihar Prohibition Excise (Amendment)
Act, 2018.

The Excise Officials intercepted Bolero and other
vehicles and recovered a total quantity of 145.780 litres of illicit
liquor from the Bolero vehicle which was being driven by the
petitioner.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case merely
because the Bolero vehicle was being driven by him. He



referring to the supplementary affidavit submits that the petitioner is not the owner of the Bolero vehicle and the same is owned by Tuntun Kumar Beyahut and the petitioner was driving the vehicle on the instruction of its owner and was not aware about the illicit liquor being kept therein. The petitioner is in custody since 19.3.2021 having no criminal antecedent and charge-sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that petitioner has got no criminal antecedent, he is in custody since 19.3.2021, charge sheet has already been submitted and the trial is not likely to be concluded in near future, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned District & Sessions Judge-II, Gopalganj, in connection with Excise P.S. Case No. 90/2021

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(Anil Kumar Sinha, J)

