

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39380 of 2021

Arising Out of PS. Case No.-105 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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1. BALINDRA KUMAR Son of Kalewer Rai Village - Asmanpur, P.S.-
Hathauda, Dist.- Muzaffarpur
 2. Brajesh Kumar Yadav Son of Shri Pradeshi Rai Residence of Village -
Fatehpur Barauna, P.S.- Aaurahi
 3. Pramod Sharma Son of Shri Naresh Sharma Residence of Shiv Bihar, West
Vikash Nager, Uttam Nager, West Delhi, P.S.- Ranhola

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sushil Kumar, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-01-2022 Heard Mr. Sushil Kumar, learned counsel for the

petitioners and Mr. Nitya Nand Tiwary, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioners seek regular bail in connection with Excise
P.S. Case No. 105 of 2021 registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

The Excise Officials intercepted two luxury cars and
recovered a total quantity of 351.750 litres of illicit liquor from
the same.



Learned counsel for the petitioners submits that the petitioner No. 1 is driver of the first car and petitioner No. 2 was sitting therein whereas the petitioner No. 3 was driving the second car. Learned counsel further submits that the petitioners are not the owners of the car in question and were not aware about the illicit liquor being kept therein by its owner. He next submits that the petitioners have got no criminal antecedent and they are in custody since 27.3.2021. The charge sheet has already been submitted and the trial is not likely to be concluded in near future due to Covid-19 pandemic.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioners have got no criminal antecedent, charge sheet has already been submitted and the trial is not likely to be concluded in near future due to Covid-19 pandemic, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge-II, Gopalganj, in connection with Excise P.S. Case No. 105 of 2021 subject to the condition that one of the bailors shall



be resident of the territorial jurisdiction of the learned court below.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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