

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41017 of 2021**

Arising Out of PS. Case No.-120 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

NAWNIT KUMAR SINGH S/o Sri Rakesh Singh R/o Village- Jalalpur, P.S.-
Kuchaikot, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Singh
For the Opposite Party/s : Mr.Bharat Lal

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 03-01-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Excise Case No. 120/2021, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

The allegation is regarding recovery of 600.48 liters of illicit wine from a scorpio vehicle of which the petitioner is stated to be the driver.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is



having a clean antecedent and he is languishing in custody since 4.4.2021. The learned counsel for the petitioner has further submitted that since the petitioner is merely the driver of the vehicle in question, he was not having any knowledge about the contents of the consignment, which had been loaded on the said vehicle, hence, a lenient view be taken for the purposes of grant of bail to the petitioner herein.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is not the owner of the vehicle in question and he is languishing in custody since a long time, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner



is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Session Judge, Gopalganj in connection with Excise Case No. 120/21.

(Mohit Kumar Shah, J)

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