

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42786 of 2021**

Arising Out of PS. Case No.-152 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.  
District- Gaya

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AMIT SHARMA Son of Arvind Sharma Resident of Village - Sendhwa, P.S. -  
Paras Bigha, District - Jehanabad (Arwal).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      02-02-2022                      Heard learned Counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with  
Excise Case No. 152 of 2021, registered for the offences  
punishable Section 30 (a) of the Bihar Prohibition and Excise  
Act, 2016.

The prosecution case, as per the prosecution report, is  
that the Excise Officials recovered 213.75 litres of illicit liquor  
from a truck, which was being driven by the petitioner.

Learned Counsel for the petitioner submits that the  
petitioner got no criminal antecedent and he has not committed  
any offence in the manner alleged. He further submits that the  
petitioner is the driver of the truck, in question, and he was



plying the vehicle on the instruction of its owner and was not aware about the illicit liquor being kept in the truck. He further submits that the petitioner is in custody since 09.05.2021 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner has got no criminal antecedent, he is in custody since 09.05.2021, charge sheet has already been submitted and there is no likelihood of the trial being concluded in near future due to pandemic, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, 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 2<sup>nd</sup> Additional Sessions Judge -cum- Special Judge, Excise, Gaya, in connection with Excise Case No. 152 of 2021.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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