

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46137 of 2021

Arising Out of PS. Case No.-94 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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1. ANKIT KUMAR Son of Devendra Yadav @ Debo Yadav R/o Village- Baisa Ward No.02, P.S.- Parbatta, District- Khagaria.
 2. RAM KUMAR PASWAN Son of Late Nathan Paswan R/o Village- Baisa Ward No.7, P.S.- Parbatta, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-02-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and
Md. Nazir Ansari, the learned APP for the State.

The petitioners seek regular bail in connection with C-I case no. 94 of 2021 instituted for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 144 liters of illicit liquor from a Tata Sumo Victa vehicle. The



petitioner no. 1 is stated to be the co-driver and the petitioner no. 2 is stated to be the driver of the said vehicle.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case, are having clean antecedent and are languishing in custody since 10.06.2021. The learned counsel for the petitioners has further submitted that since petitioners are co-driver and driver of the vehicle in question, they were not knowing about the contents of the consignment loaded on the said vehicle.

Per contra, the learned A.P.P. 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 parties and taking into account the materials available on record as also considering the period of incarceration of the petitioners herein, apart from the fact that they are having clean antecedent, I deem it fit and proper to admit the petitioners to the privilege of bail.

Accordingly, the abovenamed petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount



each to the satisfaction of learned court of Special Judge
(Excise), Purnea in connection with C-I case no. 94 of 2021.

(Mohit Kumar Shah, J)

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