

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50276 of 2021

Arising Out of PS. Case No.-314 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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VIKRAM KUMAR Son of Rajan Kumar Resident of Village - Bhavdepur,
Police station - Riga, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar, Advocate
For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-03-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
C2 Case No. 314 of 2021 for the offence registered under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 540 litres of
Nepali Soufi wine from a Scorpio vehicle which was coming
from Nepal side and was apprehended at the Indo-Nepal border.
The petitioner is stated to be the driver of the said vehicle.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case and he is languishing in custody since 04.07.2021.
It is further submitted that since the petitioner is merely the
driver of the vehicle in question and not the owner of the same,



he was not aware about the consignment which had been loaded on the said vehicle, hence the petitioner is not having any complicity in the matter.

Per contra, the learned counsel 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 is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-cum-Special Judge (Excise), Sitamarhi in connection with C2 Case No. 314 of 2021.

(Mohit Kumar Shah, J)

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