

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53964 of 2021

Arising Out of PS. Case No.-188 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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1. SURENDRA BHUIYAN SON OF BANSHI BHUIYAN RESIDENT OF VILLAGE- TARWAGADA, P.S. HUNTERGANJ, DISTRICT- CHATRA (JHARKHAND)
 2. BABLU BHARTI SON OF BHOLA BHUIYAN RESIDENT OF VILLAGE- TARWAGADA, P.S. HUNTERGANJ, DISTRICT- CHATRA (JHARKHAND)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Adv.

For the Opposite Party/s : Mr. Arvind Kumar Pandey (APP.84)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-05-2022 Heard Mr. Md. Javed Jafar Khan, learned counsel for the petitioners and Mr. Arvind Kumar Pandey, learned Additional Public Prosecutor for the State through video conferencing.

Petitioners seek regular bail in connection with Excise PS Case No. 188/2021 registered for the offence punishable under Sections 30(a) of Bihar Prohibition & Excise Act 2016.

154.92 litres of illicit liquor has been recovered from a *Sumo Victa* vehicle bearing Registration No. BR02T-0845 in which the petitioners were found sitting.

Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case with



oblique motive. He further submits that the vehicle in question does not belong to the petitioners and they are neither the driver nor the owner of the vehicle. Petitioners, having no criminal antecedents, are in custody since 08.07.2021 and the charge-sheet, in the matter, has been submitted.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that petitioners have got no criminal antecedents, they are in custody since 08.07.2021 and the charge-sheet, in the matter, has been submitted, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, namely, SURENDRA BHUIYAN & BABLU BHARTI be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Gaya in connection with Excise PS Case No. 188/2021.

(Anil Kumar Sinha, J)

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