

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61676 of 2021

Arising Out of PS. Case No.-248 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

=====

ASHOK KUMAR SHARMA @ ASHOK KR SHARMA Son of Late -
Ramswarup Sharma Resident of Village- Sahara, P.S.- Midhakur, District-
Agra (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Rajesh Kumar

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-03-2022

Heard.

The petitioner seeks regular bail in connection with
Excise Case No. 248 of 2021, registered for the offence punishable
under sections 30(a) of Bihar Prohibition and Excise Amendment
Act, 2018.

The allegation is regarding recovery of 90 liters of illicit
liquor from a Maruti Suzuki Omni car of which the petitioner is
stated to be the driver.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and is languishing in
custody since 19.08.2021. The learned counsel for the petitioner has
referred to paragraph no. 9 of the present petition to submit that



the petitioner is not the owner of the vehicle in question, hence, it is submitted that the petitioner was not having any knowledge about the contents of the consignment loaded on the said car by the consignee.

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 parties and taking into account the materials available on record as also considering the fact that the petitioner is not the owner of the car, is having a clean antecedent and is languishing in custody since about 7 months, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail- bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of Additional District and Sessions Judge-II cum Special Judge, Excise, Gopalganj in connection with Excise Case No. 248 of 2021.

(Mohit Kumar Shah, J)

Tiwary/-

U		T	
---	--	---	--

