

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62883 of 2021

Arising Out of PS. Case No.-220 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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1. RANDHIR KUMAR SON OF MUNSHI YADAV Resident of Village -
Bhekhra Tola, Malahar, P.s.- Guraru, Distt.- Gaya.
 2. SANJEET KUMAR SON OF DASHRATH YADAV Resident of Village -
Gangati, P.S.- Aurangabad, Distt.- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priya Ranjan, Advocate
For the Opposite Party/s : Ms.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-04-2022 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners seek regular bail in connection with
Excise P.S. Case No. 220 of 2021 for the offence registered under
Sections 30(a) & 56(B) of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 750 litres of
illicit liquor from a Tata Magic vehicle.

The learned counsel for the petitioners has submitted
that the petitioners are innocent, have been falsely implicated in
the present case, are having a clean antecedent and they are
languishing in custody since 13.08.2021. The learned counsel for
the petitioners has referred to paragraph no. 6 of the present
petition to submit that the petitioners are neither the owner nor the



driver of the Tata Magic vehicle in question and they were merely passing by through the place of occurrence.

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 petitioners and taking into account the materials available on record as also considering the fact that the petitioners are not stated to be either the owner or the driver of the vehicle in question apart from the fact that petitioners are having a clean antecedent and are languishing in custody since about seven months, I deem it fit and proper to direct for release of the petitioners herein on regular bail.

Accordingly, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge of Excise Act, Gaya in connection with Excise P.S. Case No. 220 of 2021.

(Mohit Kumar Shah, J)

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