

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42969 of 2023**

Arising Out of PS. Case No.-89 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Khagaria

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1. SHIVAM SHARMA @ SHIVAM KUMAR SHARMA S/O SHRI SHANKAR SHARMA R/O VILLAGE- PATWARA NORTH P S BIBHUTIPUR DISTRICT SAMASTIPUR
 2. RAM KUMAR SAHANI S/O ROHIN SAHARI R/O VILLAGE- PATWARA NORTH, PS. BIBHUTIPUR, DIST. SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Jagdhar Prasad, Advocate
For the Opposite Party/s : Mr Abhay Kumar Roy, APP

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 20-07-2023 Heard learned counsel for the petitioners and the learned APP.

The petitioners have preferred this application for grant of regular bail in connection with Excise Case No 196 C/3/2023 (Excise Thana Khagaria FIR No 89/23) dated 27.02.2023 registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 429.84 litres of foreign liquor was recovered from a pick up van.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in



this case. The petitioners bear clean antecedent, as stated in paragraph 3 of the bail petition. It is further submitted that the petitioner No 1 is the Driver and the petitioner No 2 is the Khalasi of the vehicle. They are in custody in this case since 28.02.2023.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the period of custody as well as the nature of allegation against the petitioners, the petitioners above named are directed to be released on bail on each of them furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Special Judge (Excise) II, Khagaria in Excise Case No 196C3/23 (Excise Thana Khagaria FIR No 89/23) dated 27.02.2023.

This application stands allowed.

(Chandra Prakash Singh, J)

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