

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1040 of 2023

Arising Out of PS. Case No.-217 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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1. Shekhar Paswan Son Of Birendra Paswan R/V- Ucha Gaon, P.S.- Bath,
District- Bhagalpur
 2. Ajit Kumar Singh @ Ajeet Kumar Singh Son Of Jay Kant Prasad Singh
R/V- Gari Kurma, P.S.- Shambhuganj, District- Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pratyush Pratap Singh

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-03-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have prayed for bail in a case

registered for the offence punishable under sections

30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 129 litres

of illicit liquor from a car bearing registration number

BR-10R-6106.

It is submitted by learned counsel for the

petitioners that petitioners are innocent and they have



falsely been implicated in the present case. It is also submitted that petitioner namely Shekhar Paswan was the driver of the alleged car and he used to take the car upon the instruction of his employer having no knowledge of the alleged liquor being kept in the boot of the car while another petitioner, namely, Ajit Kumar Singh, was merely coming along with him since he was going to see the doctor. Moreover, Petitioners are languishing in judicial custody since 20.10.2022. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Learned A.P.P. appearing on behalf of State vehemently opposed the prayer of bail of the petitioners and submitted that petitioners are driver and passenger of the car in question.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period under custody, this court is inclined to enlarge the petitioners on bail. The above named



petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge V, Banka in connection with Banka Excise Complaint Case No. 217 of 2022.

The petitioners are directed to deposit a sum of Rs.10,000/-(Rupees Ten Thousands) each in the concerned District Legal Services Authority.

The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of Rs. 10,000/-(Rupees Ten Thousands)each in District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

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