

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10040 of 2019

Arising Out of PS. Case No.-369 Year-2018 Thana- MAIRWAN District- Siwan

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1. Deepak Dalal, aged about 24 years, (Male), Son of Jagat Singh Dalal Resident of Village - Matan, P.s.- Bahadurganj, District- ajajar (Haryana)
 2. Rabish, aged about 22 years (male), Son of Rahtas, Resident of Village - Adiyana , P.s. - Matlora , Distt.- Panipat (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-02-2019 Heard leaned counsel for the petitioners and
learned APP for the State.

The petitioners are languishing in custody since 20.09.2018 in a case registered for the offences punishable under Sections 272, 273 and 308/34 of the Indian Penal Code and Sections 30(a), 38(i) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that on 20.09.2018 at about 12.40 P.M., when the informant was on patrolling duty, he saw a car coming from Babhanauli side, when he signaled it to stop, they started fleeing away. Thereafter, on chase being made, two persons were apprehended, who disclosed their names as Deepak Dalal and Rabish (both petitioners). It is further alleged that from the intercepted car, 274 litres and 245 ml of India



made foreign liquor were recovered. The petitioners confessed their guilt and said that they were transporting the illicit liquor from Delhi.

It is submitted by learned counsel for the petitioners that the alleged car does not belong to them. A statement has been made in paragraph 10 of the petition, which reads as follows:-

“10. That the petitioners have no concerned either with the seized Car bearing registration No.BR01-BJ-8476 or with the alleged seized English liquor.”

It is further submitted that the investigation has already been concluded. A statement has been made in paragraph no. 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP for the State submits that the recovery is of huge quantity of illicit liquor.

Considering the fact that investigation has already being concluded, coupled with statement made in paragraph no. 3 of the petition that the petitioners are not having any criminal antecedent let the above named petitioners 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-2nd-cum- Special Judge,**
Excise, Siwan in connection with **Mairwa P.S. Case No. 369 of**
2018.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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