

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20992 of 2019

Arising Out of P.S. Case No.-201 Year-2018 Thana- HALSI District- Lakhisarai

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1. RAHUL KUMAR @ RAHUL RAJPUT (M), aged about 26 years Son of Vijay Rajpur @ Bechai Lal Resident of Village - Motiram Colony, Noorwala, P.S.- Kila Chowki, Distt.- Panipat (Haryana).
 2. Rakesh Kumar @ Rakesh (M), aged about 23 years Son of Tej Singh Resident of Village - Barsat Road, Harising Colony, Noorwala, P.S.- Kila Chowki, Distt.- Panipat (Haryana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-04-2019 Heard the learned counsel for the petitioners and
learned counsel appearing on behalf of the State.

Petitioners are languishing in judicial custody since 27.11.2018 in connection with Halsi P.S.Case No.201 of 2018 for the offence alleged under Sections 30(a)/32 of the Bihar Prohibition and Excise Act.

The prosecution case as lodged by the police personnel is that on secret information that a truck is carrying illicit liquor, the truck was intercepted and the petitioners along with one other were apprehended being driver and Khalasi. On search from the truck, apart from the goods of Pidilite of Dr. Fixit, 2098 liters of Indian Made Foreign Liquor was recovered concealed inside the truck. Accordingly, a seizure list was



prepared.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal antecedent and were just driver and Khalasi of the said truck, the illicit liquor did not belong to them, the same was loaded by another person and was to be handed to its destination to another person. He further submits that the petitioners were carrying goods in the said truck and did not know that illicit liquor was also concealed. He further submits that the petitioners are not the owner of the said truck.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations and the materials on record as well as the fact that the petitioners have a clean antecedent as stated in para-3 of the present application, let the petitioners, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Halsi P.S.Case No.201 of 2018 to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge Excise, Lakhisarai subject to the condition that one of the bailors would be a close relative of the petitioners having sufficient



immovable property, who will file an affidavit stating their relationship with the petitioners.

(Nilu Agrawal, J)

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