

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34667 of 2019

Arising Out of PS. Case No.-54 Year-2019 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

-
1. SON SINGH @ SONU SINGH Son of Late Raj Kumar Resident of Village -Sandil, P.S.- Jind, Distt - Jind (Hariyana).
 2. Ajay Singh @ Ajay Lohan @ Ajay Lahuwan Son of Rajvir Lohan Resident of Village -Sandil, P.S.- Jind, Distt - Jind (Hariyana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-05-2019 Heard learned counsels for the parties.

The petitioners are languishing in custody since 25-02-2019 in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that 2428 litres of Indian Made Foreign Liquor were recovered from a truck, which was being driven by the petitioner no.1.

It is submitted by learned counsel for the petitioners that the petitioners were not aware about the liquor being kept in truck in question as uploading and unloading materials was the duty of the cleaner of the truck and even assuming the accusation to be true, no offence under Section 30(a) of the



Bihar Prohibition and Excise Act, 2016 is made out against the petitioners. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that recovery has been made from the truck, which was being driven by the petitioner no.1.

Considering the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent and the period under custody, let the petitioners above named 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 the learned 2nd Addl. Sessions Judge-II- cum- Special Judge, Excise, Gopalganj, in connection with Excise Case No. 54 of 2019.

(Dinesh Kumar Singh, J)

anil/-

U		T	
---	--	---	--

