

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65989 of 2019

Arising Out of PS. Case No.-172 Year-2019 Thana- MANJHI District- Saran

1. Sandeep Kumar, aged about 40 years (Male), Son of Baru Ram, Resident of Village- Niyam, Tahsil- Hanshi, District- Hisar (Haryana).
2. Balinder Kumar @ Balinder Singh Chusala, aged about 29 years (Male), Son of Doonichand, Resident of Village- Chausala, P.S.- Kalayat, District- Kaithal (Haryana).

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Vijay Kumar Srivastva, Advocate.
For the Opposite Party : Mr.Md. Shakir Ahmad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-10-2019 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek bail in a case for the offence registered under Sections 30, 30(g), 38(i) (ii) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 1664.73 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioners that the petitioners are languishing in custody since 17.06.2019. The petitioners have got no criminal antecedent. The petitioners have falsely been implicated in the present case. Charge sheet/prosecution report has been submitted in the



present case. There is no allegation of tampering with the witnesses alleged against the petitioners. It is alleged that total 1664.73 liters wine is recovered from the Truck in question. The petitioners are driver and clearer of the said Truck. They had no knowledge regarding the nature of goods booked by the Transporter. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saran at Chapra, in connection with Manjhi P.S. Case No. 172 of 2019.

(Sudhir Singh, J)

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