

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84046 of 2019

Arising Out of PS. Case No.-81 Year-2019 Thana- SINGHIYA District- Samastipur

1. DINESH Son of Umesh Singh Resident of Village - Khadkhadi, Phatak, Lajpatnagar, P.S.- Bhiwani, District - Bhiwani, (Haryana).
2. Parmjeet Son of Jagdish Resident of Village - Khadkadi, Phatak, Lajpatnagar, P.S.- Bhiwani, District - Bhiwani, (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlesh Kumar Pathak

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2019 Heard learned counsels for the parties.

The petitioners being driver and cleaner of the truck are languishing in custody since 13.6.2019 in a case registered for the offences punishable under Section 414 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016 as amended by Act 8 of 2018.

It is alleged that from the truck in possession of the petitioners, 2124.630 litres of Indian Made Foreign Liquor were recovered.

It is submitted by learned counsel for the petitioners that for the first time the petitioners have falsely been made accused in the present case and petitioner no. 1 was the driver and



petitioner no. 2 was the cleaner of the seized truck. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that huge quantity of liquor has been recovered from the truck in possession of the petitioners.

Considering the fact that investigation has already been concluded, 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 Additional Sessions Judge -II-cum-Special Judge, Excise, Samastipur in connection with Singhia P.S. Case No.81 of 2019.

Since the petitioners are residents of out of the state, the bailors must be local residents and the learned Court below will be at liberty to cancel the bail bonds of the petitioners in case they default on three consecutive occasions.

(Dinesh Kumar Singh, J)

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