

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22139 of 2020

Arising Out of PS. Case No.-18 Year-2020 Thana- ARWAL District- Jehanabad

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1. RINKU Son of Bijendra Resident of Village - Bajna, P.S.- Ganaur in the distt.- Sonipath (Haryana).
 2. Mohit @ Mohit Kumar Son of Dharmveer Resident of Village - Rikaur @ Ridaur, P.S.- Kharkhoda @ Khargoda in the Distt. of Sonipath (Haryana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-08-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioners and learned

A.P.P for the State.

The petitioners seek bail in Arwal P.S. Case No. 18 of

2020, registered for the offence punishable under Section 30(a)

of the Bihar Excise Act, 2016 and section 182 of the MV Act.

2034 litres of foreign liquor is said to have been

recovered from a vehicle. Petitioners are said to be the Driver

and Khalasi of the same vehicle who were apprehended on the

spot.



It is submitted that petitioners have falsely been implicated in this case. Nothing has been recovered from conscious possession of these petitioners. The petitioners are Driver and Khalasi of the vehicle and they had no knowledge about the illicit liquor. The provision of section 100 Cr.P.C has not been followed. The petitioners are in custody since 10.01.2020 having clean antecedent.

Considering the facts and circumstances of the case, the petitioner above-named, are directed to be enlarged 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 Additional Sessions Judge, Jehanabad in connection with Arwal P.S. Case No. 18 of 2020 (Excise Case No. 44 of 2020), subject to following conditions:-

(i) The petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioners.

(Prabhat Kumar Singh, J)

vinita/-

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