

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34913 of 2020

Arising Out of PS. Case No.-173 Year-2020 Thana- RAFIGANJ District- Aurangabad

1. Krishna Kumar @ Krishn Kumar son of Karu Yadav Resident of Village-Kubadi, P.S.- Shergati, District-Gaya. (Bihar)
2. Karu Yadav son of Lakhan Yadav Resident of Village-Jabada, P.S.- Hunterganj, District-Chatra (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Murari Mishra, Advocate

For the Opposite Party/s : Mrs. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-12-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and Mrs. Anita Kumari Singh, the learned A.P.P. for the State.

The petitioners seek regular bail in connection with Rafiganj P.S. Case No. 173 of 2020 for the offence registered under Section 30(a) of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 360 litres of illicit country made Mahua liquor from a Bolero vehicle and the petitioners are stated to be the driver and the cleaner of the said vehicle.



The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case, are having a clean antecedent and they are languishing in custody since 05.08.2020.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the fact that the petitioners are not the owner of the vehicle in question and are having a clean antecedent as also are languishing in custody since 05.08.2020, I deem it fit and proper to direct for release of the petitioners herein on regular bail.

Accordingly, the petitioners, above named, are directed to 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 learned Special Judge Excise, Aurangabad in connection with Rafiganj P.S. Case No. 173 of 2020.

(Mohit Kumar Shah, J)

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