

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81318 of 2019

Arising Out of PS. Case No.-334 Year-2019 Thana- BAKHTIYARPUR District- Patna

1. SURAJ KUMAR, aged about 24 years, Male, Son of Lalan Mistri, Resident of Village - Shajahanpur, Old, P.S.- Daniawan, New P.S.- Shahjahanpur, Distt - Patna
2. Raja Babu @ Raju, aged about 21 years, Male, Son of Birju Mistri, Resident of Village - Shajahanpur, Old, P.S.- Daniawan, New P.S.- Shahjahanpur, Distt – Patna

... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Jai Prabhat Kishore, Adv.

For the Opposite Party : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek bail in connection with Special Case No. 9467 of 2019 arising out of Bakhtiyarpur P.S. Case No. 334 of 2019, registered under Section 484 and 420/34 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving secret information about carrying liquor loading on a white colour XUV car, bearing registration no. BR-21Q-7777 towards Bihar Sharif, the informant, along with other police personnel, started checking the vehicle. On seeing the white colour XUV car, signal was, signal was given to stop the car, but, the driver accelerated the



vehicle. On chase, the car was stopped from which Kaushal Sharma, Anant Kumar and both the petitioners were apprehended. On search, 242 cans and 80 bottles, each containing 300 ml Indian made foreign liquor recovered.

Submission is that both the petitioners are not the owner of the XUV car, from which Indian made foreign liquor and cans of beer recovered. In fact, both the petitioners were asked to sit in the car for unloading some materials at some distance. Both the petitioners have no criminal antecedent and are in custody since 24.10.2019.

Having regard to the facts and circumstances of the case, let the petitioners, above named be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Special Case No. 9467 of 2019 arising out of Bakhtiyarpur P.S. Case No. 334 of 2019 to the satisfaction of the Special Judge, Excise, Patna.

(Rajendra Kumar Mishra, J)

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