

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19111 of 2021

Arising Out of PS. Case No.-391 Year-2020 Thana- DARIYAPUR District- Saran

1. Sonu Kumar S/O Dineshwar Rai R/o village- Ibrahimpur, P.O.- Dariyapur, P.S.- Dariyapur, District- Saran
2. Monu Kumar @ Sikandar Kumar S/o Dineshwar Rai R/o village- Ibrahimpur, P.O.- Dariyapur, P.S.- Dariyapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 120B of the Indian Penal Code and sections 30(a), 34, 36, 38 and 40 of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., 1510 litres of IMFL was recovered from a truck and the driver and *khalasi* were taken into custody. It is stated that on enquiry they disclosed the name of the other accused persons including the two petitioners herein, stating that the liquor was meant for them.

It is submitted by learned counsel for the



petitioners that from the F.I.R. itself it would be evident that neither the petitioners were arrested at the spot nor any incriminating article has been recovered from their possession. They have no concern with the seized article. There is no material against them except statement of the coaccused made before the police. They are in custody since 14.11.2020 and have no criminal antecedent. Investigation in the case has concluded.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the investigation in the case having concluded, the Court directs the petitioner to be enlarged on bail in connection with Dariyapur P.S. Case no.391 of 2020 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran.

(Partha Sarthy, J)

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