

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32405 of 2021

Arising Out of PS. Case No.-15 Year-2021 Thana- SHRI NAGAR District- Madhepura

1. Md. Jasim Son Of Md. Shakin R/O Village- Jai Prakash Nagar, Ward No.6, P.S.- And District- Madhepura.
2. Shravan Kumar Son Of Tarni Yadav R/O Village- Rajbhir, Ward No.-11, P.S.- Shankarpur, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-11-2021 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 learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with Shrinagar P.S. Case No. 15 of 2021 (Excise Case No. 92 of 2021) instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that the petitioners are in custody since 30.01.2021, charge-sheet has been submitted in the case and are persons with clean



antecedent.

Learned counsel for the petitioners submits that in the F.I.R. it is alleged that 161.280 litres of liquor was recovered from a truck of which the petitioners were driver and *khalashi* respectively. Learned counsel for the petitioners submits that petitioners were not aware that what was being carried in the truck.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioners.

Considering the fact that the petitioners are in custody since 30.01.2021, charge-sheet has been submitted in the case and the petitioners are persons with clean antecedent, let the petitioners above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional District Judge-II-cum-Special Judge, Excise Act, Madhepura in connection with Shrinagar P.S. Case No. 15 of 2021 (Excise Case No. 92 of 2021) subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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