

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30560 of 2021

Arising Out of PS. Case No.-8 Year-2021 Thana- TISIAUTA District- Vaishali

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1. CHANDAN KUMAR Son of Shivjee Rai Resident of Village- Jahngirpur Salkhani, P.S.- Mahua, District- Vaishali.
 2. Ramjee Kumar @ Ramjee Kumar Rai Son of Late Sitaram Rai Resident of Village- Jahngirpur Salkhani, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-12-2021 Heard the learned counsel for the petitioners and
the learned APP for the State.

The petitioners seek regular bail in connection with Tisiauta PS case no. 08 of 2021 instituted for the offences punishable under Sections 30(a)(b)(c) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 553.68 liters of illicit liquor from a pick-up van. The petitioner no. 1 is stated to be the driver of the pick-up van. The petitioner no. 2 is stated to be the passenger of the said pick-up van.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely



implicated in the present case, are having clean antecedent and are languishing in custody since 20.01.2021. The learned counsel for the petitioners has further submitted that at best, the petitioner no. 1 can be said to be carrying the consignment loaded in the said truck, however he was not having any knowledge about the contents thereof.

Per contra, the learned A.P.P. 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 parties and taking into account the materials available on record as also the period of incarceration of the petitioners herein, I deem it fit and proper to admit the petitioners to the privilege of bail. Accordingly, the abovenamed petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned court of Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Tisiauta PS case no. 08 of 2021.

(Mohit Kumar Shah, J)

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