

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36246 of 2021**

Arising Out of PS. Case No.-58 Year-2021 Thana- BOCHAHAN District- Muzaffarpur

1. Gulshan Kumar Son of Mahesh Sharma Resident of Village - Bishambharpatti, P.S.- Hathauri, District - Muzaffarpur
2. Pramod Ray Son of Ramsakal Rai Resident of Village - Bishambharpatti, P.S.- Hathauri, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Devendra Kumar

For the Opposite Party/s : Mr.Rajendra Pd Nat.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      09-12-2021                      Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner seeks bail in Bochaha P.S. Case No. 58 of 2021, registered for the offence punishable punishable under Sections 272/273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

126 litres of foreign liquor has been recovered from a Maruti car of which petitioners are driver and co-driver.

It is submitted that no recovery has been made from conscious possession of this petitioner. Petitioners were simply driving the vehicle and was not aware about the nature of consignment and have got no concern with the seized liquor.



Petitioners are in custody since 11.03.2021 having no criminal antecedent, as stated in para 3 of the petition. Investigation is complete.

Considering the period of custody coupled with the fact that petitioners bear clean antecedent, the petitioners above-named, are directed to be enlarged 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 the learned Special Judge Excise, Muzaffarpur in connection with Bochaha P.S. Case No. 58 of 2021.

**(Prabhat Kumar Singh, J)**

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