

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33300 of 2020

Arising Out of PS. Case No.-47 Year-2020 Thana- KUDHNI District- Muzaffarpur

1. ABHISHEK Son of Thomas Masih Resident of Village - Lalpur Mariyampur, P.S. - Vilashpur (Bilaspur), District - Rampur, Uttar Pradesh.
2. Gaurav Son of Jogender Masih Resident of Village - Hamidnagar, P.S. - Vilashpur (Bilaspur), District - Rampur, Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navendu Kumar, Adv.

For the Opposite Party/s : Mr.B.N.Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 29-01-2021 Heard both sides.

The petitioners seek bail in Kudhani (Turki O.P.) P.S. Case No.47 of 2020 registered under Sections 414 and 34 of the Indian Penal Code and under Sections 30(a), 38(i) and 41(i) of Bihar Prohibition and Excise Act.

The informant got secret information that three trucks were parked near line hotel on N.H.77 and on such, the informant and other police officials went there. 3096 litres of Whiskey was recovered from the truck of petitioner No.1 and 3440 litres of Whiskey was recovered from the truck of petitioner No.2.

The learned counsel for the petitioners submits that



three trucks were found parked inside the premises of a line hotel out of which, one Taranjeet Singh, the driver of the third truck, from which 7,000 litres of liquor has been recovered, has already been granted bail by a co-ordinate Bench of this Court vide order dated 12.11.2020 passed in Cr. Misc. No.24155 of 2020. It is further submitted that co-accused persons have also been granted bail in Cr. Misc. No.21077 of 2020 and Cr. Misc. No.23471 of 2020 by different Benches of this Court but it appears that both the petitioners were carrying the truck loaded with huge quantity of Indian made foreign liquor.

Taking into consideration the facts aforesaid, I am not persuaded to grant bail to such persons who were carrying huge quantity of liquor for distribution in different parts of the State of Bihar where the entry of liquor is banned and accordingly prayer for bail of the petitioners is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within six months from the date of receipt of this order.

The S.S.P., Muzaffarpur is directed to ensure the attendance of the witnesses in the trial court on each and every date so that the trial must be concluded within six months.

Let a copy of this order be sent to the trial court as



well as S.S.P., Muzaffarpur for information and needful.

If the trial is not concluded within six months, the
petitioners may renew their prayer for bail.

(Prabhat Kumar Jha, J)

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