

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32279 of 2020

Arising Out of PS. Case No.-1119 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

1. PAPPU RAI son of Late Shankar Rai Residen of Village - Nehalpur, P.S. - Minapur, District - Muzaffarpur.
2. Navin Rai Son of Late Shankar Rai Residen of Village - Nehalpur, P.S. - Minapur, District - Muzaffarpur.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anjani Kumar Jha
For the Opposite Party/s : A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-03-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 27.11.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in connection with Ahiyapur P.S. Case no.1119 of 2019, registered under Sections 272 and 273 of the Indian Penal Code and Section 30(a), 36 and 38 of the Bihar Prohibition and Excise Act.

The accusation is that in course of checking of the vehicle, one truck bearing registration No. DL-1LS-5804 was



intercepted then two persons started fleeing, but on chase both were apprehended, who disclosed their names as Narendra @ Dipak, driver of the truck, and Bhola Kumar. On search of truck, 245 cartons, each containing 48 bottles of 180 ML in volume of 2116.800 litres Indian made foreign liquor recovered. In course of inquiry, one of the apprehended persons disclosed the name of five persons, including the petitioners, stating that they had ordered for supply of the bottles of liquor.

Learned counsel for the petitioners submits that both the petitioners have no criminal antecedent and their names surfaced in the confessional statement of co-accused Bhola Kumar, who is said to be apprehended from the truck from which the alleged bottles of liquor are said to be recovered.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Ahiyapur P.S. Case No. 1119 of 2019, subject to the condition as laid



down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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