

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44012 of 2021

Arising Out of PS. Case No.-142 Year-2021 Thana- BAUNSI District- Banka

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1. Md Sahid Son of Molana Rasid Resident of Village - Sulindabad, P.S.- Saharsa, Distt.- Saharsa.
 2. Md Mursid @ Md. Murshid Son of Md. Rayisuddin Resident of Village - Sulindabad, P.S.- Saharsa, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-11-2021 Heard learned counsel for the petitioners and learned
A.P.P for the State.

The petitioners seek bail in Bounsi P.S. Case No. 142 of 2021, registered for the offence punishable punishable under Sections 30(a), 32(2)/ 34of the Bihar Prohibition and Excise Act, 2018.

867.60 litres of foreign liquor has been recovered from a truck and petitioner no. 1 is driver and petitioner no. 2 is co-driver of the vehicle and both of them were apprehended on the spot.

It is submitted that no recovery has been made from conscious possession of petitioners. Petitioners are driver and



they were not aware about the nature of consignment which was being transported by the vehicle in question and they were simply following the instruction of their owner. Petitioners are in custody since 07.07.2021 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 Additional Sessions Judge II, Banka in connection with Bounsi P.S. Case No. 142 of 2021.

(Prabhat Kumar Singh, J)

vinita/-

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