

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51150 of 2021**

Arising Out of PS. Case No.-75 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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1. Pappu Ojha Son of Late Govind Ojha Resident of Village - Padma, P.S.- Sarath, District - Hazaribagh (Jharkhand).
 2. Manohar Kumar Ojha Son of Late Nand Kishore Ojha Resident of Village - Padma, P.S.- Sarath, District - Hazaribagh (Jharkhand).
 3. Ritesh Kumar Mallick Son of Bhupendra Mallick Resident of - Sector-12D, Quarter No. - 205, P.S.- Bokaro, District - Hazaribagh (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-12-2021 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of Covid 19 pandemic, requiring social distancing.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with Lakhisarai Excise Case No. 75C/2 of 2021 instituted for the offences under Sections 30(a), 32, 41, 56(a) and 56(b) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioners submits that the petitioners are in custody since 04.05.2021, are persons with clean



antecedent and prosecution report has been submitted in the case.

Learned counsel for the petitioners submits that allegation is of recovery of 315 litres of liquor from a pick-up van as detailed in the F.I.R. and the petitioners were found sitting in the pick-up van.

Learned counsel for the petitioners submits that the petitioners are not the owner of the pick-up van thus were not knowing what was being carried in the pick-up van.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioners.

Considering the fact that the petitioners are in custody since 04.05.2021, prosecution report has been submitted in the case and the petitioners are persons with clean antecedent, let the petitioners above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge, Excise, Lakhisarai in connection with Lakhisarai Excise Case No. 75C/2 of 2021.

(Satyavrat Verma, J)

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