

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4342 of 2021

Arising Out of PS. Case No.-283 Year-2020 Thana- MAHESI District- East Champaran

1. Ranvir Singh Son of Lam Singh Resident of Village - Sarshedi, P.S.- Mahesh Nagar, District - Ambala, State Haryana.
2. Rahul Kumar Son of Jagatar Singh Resident of Village - Sarshedi, P.S.- Mahesh Nagar, District - Ambala, State Haryana.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandan Kumar

For the Opposite Party/s : Mr. Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 19-03-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Mehshi P.S. Case No. 283 of 2020 G.R. No. 6879 of 2020), registered for the offence under Sections 272, 273, 120(b)/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

As per the prosecution case, in course of patrolling, the informant, who is S.I. of Police, received a secret information that a container loaded with liquor is going towards Muzaffarpur through Mahendra Chowk and thereafter, the informant alongwith police party reached there and container was intercepted and on search, 8109 liters of foreign liquor was



recovered and these two petitioners, who were driver and khalasi respectively of the container, were apprehended on spot.

It is submitted on behalf of petitioners that nothing has been recovered from conscious possession of the petitioners. Petitioners, being driver and *khalasi*, were not aware about the nature of consignment and they were simply driving the vehicle on the instruction given by the owner. Petitioners have got clean antecedent, as stated in paragraph – 3 of the petition, and they are in custody since 10.09.2020. There is also no allegation against these petitioners of tampering with the evidence. Chargesheet has already been submitted.

Considering the aforesaid facts & circumstances as well as the fact that chargesheet has been submitted, petitioners have got clean antecedent and there is no allegation of tampering with the evidence against petitioners, the bail application of petitioners is allowed.

Let the above named petitioners be released on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge 13th cum Special Judge, East Champaran, Motihari in connection with Mehsi P.S. Case No. 283 of 2020, on the following conditions:



“(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on their absence on two consecutive dates without sufficient reason, their bail-bond shall be cancelled by the court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

anay

U		T	
---	--	---	--

