

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38766 of 2020

Arising Out of PS. Case No.-250 Year-2020 Thana- MANJHI District- Saran

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1. Ram Samujh Rai Alias Ram Samish Rai, aged about 25 years, Male, Son Of Bala Rai
 2. Kanchan Kumar, aged about 22 years, Male, Son Of Late Panchi Rai @ Pankshi Ray
Both are resident Of Village-Pahleja, Shahpur Diyara, Police Station Sonapur, District - Saran at Chapra

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Prashant Sinha, Advocate
For the Opposite Party : Dr. Mritunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-02-2021 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are in custody in connection with Manjhi P.S. Case No. 250 of 2020, for the offence under Sections 30(a), 30(a) and 38(i)(ii) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that the petitioners have no criminal antecedent. Learned counsel submits that in the instant case, from pickup van 302.840 litres of foreign liquor was seized. Learned counsel further submits that the petitioners are driver and *Khalasi* of the pickup van and they are neither owner of the pickup van nor owner of the seized



liquor. Petitioners are in custody since 25.08.2020.

Considering the fact that the petitioners have no criminal antecedents and they are in custody since 25.08.2020, the Court is inclined to grant bail to the petitioners subject to the condition that the petitioners have to deposit Rs.50,000/- in cash. On depositing the amount of Rs.50,000/-, petitioners, above-named, shall be released on bail on furnishing bail bond of Rs.50,000/- (Rupees fifty thousand) each with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge-cum-Special Judge Excise, Saran at Chapra in connection with Manjhi P.S. Case No. 250 of 2020.

Deposit of Rs.50,000/- (Rupees fifty thousand) shall abide by final outcome of Manjhi P.S. Case No. 250 of 2020.

(Anil Kumar Upadhyay, J)

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