

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2452 of 2021

Arising Out of PS. Case No.-224 Year-2020 Thana- MANJHAGARH District- Gopalganj

1. DURGESH KUMAR Son of Rajpal Resident of Nangla Mohan, P.S.- Shahawar, District- Kashganj (Uttar Pradesh).
2. Shaitan Singh Son of Jagmohan Singh Resident of Kalakhet, P.S.- Okhaliya, District- Mainpuri (Uttar Pradesh).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan, Adv.

For the Opposite Party/s : Mrs. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-03-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners undertake to remove the defects within three weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners seek bail in a case registered for the offence punishable under Sections 188, 272, 273, 420 of the Indian Penal Code.

Prosecution case is that on secret information that two consignments of Gutka are being brought in Bihar for trading, the checking of the vehicles was initiated. Two trucks were directed to stop and papers were demanded but drivers could not produce the satisfactory papers. Since, there is a complete



prohibition of Pan Masala Gutka in the State of Bihar, therefore, the goods were seized, the drivers were arrested and the FIR was lodged.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He submits that consignment for transportation of which the petitioners have been arrested was being transported from New Delhi to West Bengal on the basis of proper Tax Invoices. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioners. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application and they are languishing in judicial custody since 12.09.2020.

In the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Manjhagarh P.S. Case No. 224 of 2020.

(Anjani Kumar Sharan, J)

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