

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40352 of 2020

Arising Out of PS. Case No.-137 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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1. GULAM ALI S/o Md. Safik R/o village- Sirajabad, P.S.- Sakra, District- Muzaffarpur
 2. Jalandhar Manjhi S/o Late Ram Brikha Manjhi R/o village- Lautanpur, P.S.- Sakra, District- Muzaffarpur
 3. Bittu Kumar S/o Ganesh Mahto R/o village- Dabauli, P.S.- Bangra, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-03-2021 Heard Mr. Manoj Kumar, learned counsel for the

petitioners and Mr. Nawal Kishore Prasad, learned Additional

Public Prosecutor appearing for the State.

Petitioners seek regular bail in connection with Excise
P.S. Case No. 137 of 2020 arising out of P.R. No. 30 of 2020
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

The allegation as per the First Information Report is
that the Police on the basis of secret information raided the
Upgraded Higher Secondary School, Mushar Lautan, and upon
seeing the Police Party, some of the persons started fleeing



away. However, the Police arrested four persons including the petitioners and from the two Bolero vehicles, a total quantity of 1495.440 litres of illicit foreign liquor was recovered.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case and no illicit liquor has been recovered from conscious possession of the petitioners. Learned counsel further submits that from perusal of the First Information Report, it would be evident that owner of the vehicle succeeded in fleeing away and the petitioners are merely labourers who were hired by the owner of the vehicle for unloading of some consignments, of which, the petitioners were not aware of. Learned counsel also submits that the petitioners have got no criminal antecedents and they are in custody since 6.9.2020. Learned counsel next submits that the charge sheet has already been submitted in the matter.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that the petitioners have got no criminal antecedents and charge sheet has already been submitted in the matter, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular 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 Special Judge, Excise, Muzaffarpur, in connection with Excise P.S. Case No. 137 of 2020 arising out of P.R. No. 30 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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