

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53567 of 2021

Arising Out of PS. Case No.-79 Year-2021 Thana- TETERHAT District- Lakhisarai

1. Suraj Kumar Son Of Ram Kishore Das R/O Village- Mirzapur, P.S.- Kalyanpur, District- Samastipur, Reside At Village- Bishopur, P.S.- Kalyanpur, District- Samastipur
2. Manoj Sah Son Of Late Nathuni Sah @ Nathuni Sah R/O Village- Mirzapur, P.S.- Kalyanpur, District- Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the Opposite Party/s : Mr. Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-12-2021 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in connection with Teterhat P. S. Case No.79 of 2021, instituted for the offences under Sections 30(a) and 37(b) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The learned counsel for the petitioners submits that the petitioners are in custody since 30.07.21, they are persons with clean antecedents and charge-sheet has been submitted in this case.

Allegation is of recovery of 739.380 litre of liquor from a pick-up van as detailed in the F.I.R. Petitioner no.1 is



alleged to be the driver of the van and petitioner no.2 was found sitting in the van.

The learned counsel for the petitioners submits that being driver the petitioner no.1 was not aware what was being carried in the said van and petitioner no.2 was a passenger and as such, he was not aware that in the van liquor was being carried.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioners are in custody since 30.07.21, they are persons with clean antecedents and charge-sheet has been submitted in this case, the petitioners, above-named, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-IInd-cum-Special Judge, Excise, Lakhisarai in connection with Teterhat P. S. Case No.79 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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