

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1716 of 2021

Arising Out of PS. Case No.-98 Year-2019 Thana- GANGABRIDGE District- Vaishali

1. Kundan @ Kundan Kumar, Son of Chandeshwar Singh, Resident of Village - Bhairepur-Mail Pakri Tirth P.S. Bidupur, District - Vaishali.
2. Chand @ Chandan Kumar @ Chandan Kumar Singh, Son of Chandeshwar Singh, Resident of Village - Bhairepur-Mail Pakri Tirth, P.S. Bidupur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra, Advocate.
For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 07-09-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State through Video Conferencing.

The petitioners apprehend their arrest in connection with Ganga Bridge P.S. Case No. 98 of 2019, registered under Sections 272 and 273 of the Indian Penal Code and Sections 30(a) and 38(1) of the Bihar Excise Act.

The accusation is that on receiving secret information about carrying the illicit liquor loading in the truck



bearing registration no. UP-19T-4605 towards Bidupur, the informant along with other police personnel started checking. In course of checking of the vehicle, the aforesaid truck was seen, which was stopped, wherein three persons were found sitting. On query, the aforesaid three persons disclosed their names as Intejar as driver and Saiyed as co-driver and one Najis and thereafter, Najis also disclosed that the liquor was to be unloaded on the instruction of Bikash, Kundan (petitioner no.1) and Chandan (petitioner no.2). On search, several cartoons containing different bottles of Indian made foreign liquor in the volume of 5301.360 litre recovered from the aforesaid truck.

Learned counsel for the petitioners submits that petitioners were not apprehended at the spot rather their names have surfaced in the confessional statement of co-accused, Najis. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional



Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur, in connection with Ganga Bridge P.S. Case No. 98 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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