

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5343 of 2021

Arising Out of PS. Case No.-366 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

1. Sandip Son of Ram Kumar Resident of House No. 1035, Near Metro Station, Bahadurgarh, P.S.- Bahadurgarh, District- Jhajhar.
2. Mukesh, son of Omprakash, Resident of Jauhari Nagar Line, House No. 386/6, Bahadurgarh, P.S.- Bahadurgarh, District- Jhajhar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Shahin Begum, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-06-2021 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State through video conferencing.

The petitioners have filed the instant application for grant of regular bail in connection with Kuchaikote P.S. Case no. 366 of 2020 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, 1561.665 litres of IMFL was recovered from the vehicle of which the petitioners were the driver and khalasi.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from their



person or possession. The petitioners have been falsely implicated in the case. They are in custody since 22.9.2020 and have no criminal antecedent.

The report called for in the case with respect to the antecedent of the petitioners has been received. It states that the petitioners have no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the petitioners being in custody for 9 months and not having any criminal antecedent, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to be enlarged on bail in connection with Kuchaikote P.S. Case no. 366 of 2020 on each of them furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge II – cum – Special Judge, Excise, Gopalganj.

(Partha Sarthy, J)

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