

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6649 of 2021

1. Ramadiya @ Ram Diya, aged about 28 years, son of Ram Manohar @ Babu @ Ram Mahohar
2. Ashin, aged about 24 years, Male, son of Nathi Ram, both are resident of Rohana, Ghani, P.S.-Kharkhuda, District-Sonipath, Haryana

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Petitioner

Versus

The State of Bihar

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Opposite party

Appearance

For the Petitioner/s : Ms. Archana Shahi, Advocate

For the State : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 19.05.2021

Heard learned counsel for the petitioners and learned A.P.P for the State through video conferencing.

The petitioners have filed the instant application for grant of regular bail in connection with Phulwariya P.S. Case no. 254 of 2020 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., on the vehicle in question being stopped for checking, it is stated that the accused persons made an attempt to escape but were caught and disclosed their names, as the petitioners herein. It is further stated that a total quantity of 1615.5 litres of IMFL was recovered from the vehicle.



It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the vehicle of the petitioners who are the driver and cleaner of the truck. The petitioners have been falsely implicated in the case. They are in custody since 15.10.2020, chargesheet has been submitted in the case and they have no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the period in custody, investigation in the case having concluded and the petitioners 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 Phulwariya P.S. Case no. 254 of 2020 on each of them furnishing bail bond of Rs.10,000/ with two sureties of the like amount each to the satisfaction of the learned ADJ-II-cum-Special Judge (Excise), Gopalganj.

(Partha Sarthy, J)

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