

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6267 of 2021

Arising Out of PS. Case No.-187 Year-2020 Thana- CHAKAI District- Jamui

1. Rajkumar, aged about 30 Years, Male, Son of Ramesh Prasad, Resident of Jhariya, Baniahir, P.S. - Jhariya, District – Dhanbad, Jharkhand.
2. Md Saheb, aged about 35 years, Male, Son of Md. Maksood, Resident of Jhariya, Samsheer Nagar, P.S. - Jhariya, District - Dhanbad, Jharkhand.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra

For the Opposite Party/s : Mr. Balmukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-04-2021 Heard Mr. Sanjay Kumar Mishra, learned counsel for the petitioners and Mr. Balmukund Prasad Sinha, learned counsel appearing for the State through video conferencing.

Petitioners seek regular bail in connection with G.R. No. 2903 of 2020 arising out of Chakai P.S. Case No. 187 of 2020 registered for the offence under Section 272 / 273 of the I.P.C. and Section 30 (a) / 41 of the Bihar Prohibition and Excise Act, 2016.

The allegation as per the First Information Report is that Police intercepted a Bolero Pick-Up Van and recovered 450 liters of illicit foreign liquor from the same.

Learned counsel for the petitioners submits that



petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case merely on suspicion. Learned counsel next submits that the fact of the matter is that the petitioner no. – 1 is the Driver and petitioner no. – 2 is the *Khalasi* of the Bolero Pick- Up Van which was being plied by its owner on hire basis and the petitioners were not aware about the illicit liquor being kept therein. Learned counsel next submits that petitioners are in custody since 28.09.2020 having no criminal antecedent and charge sheet has already been submitted in the case.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the materials available on record, the fact that petitioners are Driver and *Khalasi* of the Bolero Pick- Up Van having no criminal antecedent and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District Judge 2nd , Jamui in connection with G.R. No. 2903 of 2020 arising out of Chakai P.S. Case No. 187 of 2020.



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

(Anil Kumar Sinha, J)

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