

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9970 of 2021

Arising Out of PS. Case No.-203 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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1. Rahul Debnath Son of Late Kajal Debnath Resident of Amodghat Ninamath, P.S.- Magra, District- Hooghly (West Bengal)
 2. Sujeet Manjhi @ Sanjeet Manjhi Son of Late Budo Manjhi Resident of Amodghat Ninamath, P.S.- Magra, District- Hooghly (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Fazle Karim, Adv.

For the State : Dr. Ajeet Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 08-06-2021 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 Purnea Excise P1 Case no. 203 of 2020 registered under section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, a total of 864 litres of liquor was recovered from the truck of which the petitioners were the driver and conductor.

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



in question. They have been falsely implicated in the case. They were merely the driver and conductor of the vehicle, and were driving the truck on the instructions of the owner. They had no knowledge about the goods which had been loaded. They are in custody since 20.11.2020 and have no criminal antecedent.

The application for bail is opposed by learned Additional Public Prosecutor for the State who submits that a large quantity of liquor has been recovered from the truck of which the petitioners were the occupants. They are residents of West Bengal.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is not inclined to enlarge the petitioners on bail and the same is rejected.

The petitioners will be at liberty to renew the prayer for bail on completing one year in custody.

(Partha Sarthy, J)

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