

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5142 of 2022

Arising Out of PS. Case No.-86 Year-2021 Thana- KALER District- Jehanabad

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1. SHAJAD KHAN SON OF PYARE MIYAN R/O VILLAGE- INDIRA COLONY (NIMBAHERA), P.S.- NIMBAHERA, DISTRICT- CHITTORGARH (RAJASTHAN)
 2. PIRULAL MEENA SON OF KALU MEENA R/O VILLAGE- KAIVAR CHAUKI, P.S.- CHOTI SADEDI, DISTRICT- PRATAPGARH (RAJSTHAN)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sinha

For the Opposite Party/s : Mr.Kanhaya Kishore (App 100)

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 24-05-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners and the learned APP for the State.

This is an application for regular bail on behalf of the petitioners for the offences alleged under sections 30(a), 36/42 of Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioners has submitted that the petitioners are driver and co-driver of the truck where from 2512 liters liquor was recovered. Learned counsel has further



submitted that the petitioners are persons of clean antecedents and they were not aware as to what consignment was loaded on the truck and petitioners are in custody since 17.12.2021.

Considering the above mentioned facts and circumstances, let the petitioners above named be released on bail on furnishing bail bond of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the A.D.J. II-cum-Special Judge, Excise, Jehanabad in connection with Kaler P.S. Case no. 86 of 2021 bearing Excise Case no. 1208 of 2021, subject to the following conditions:-

1. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

2. At the time of furnishing bail bond, the petitioners shall file an affidavit to the effect that they shall not indulge themselves in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioners and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove,



failing which the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey, J)

s.hassan/-

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