

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9550 of 2022

Arising Out of PS. Case No.-54 Year-2021 Thana- SAKSOHRA District- Patna

1. Rupesh Kumar Singh, Son of Late Rameshwar Singh, R/O - Dhanauti, P.S.- Panapur, District- Chhapra
2. Munni Begum, Wife of Samim Sai, R/O - Madhaura, P.S.- Madhaura, District- Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-07-2022 Heard learned counsel for the petitioners and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioners seek bail in connection with Saksohara P.S. Case No. 54 of 2021 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Allegedly, the petitioners were carrying liquor in the vehicle and their vehicle was searched and total 136.8 litres of country made liquor was recovered. The petitioners were



apprehended from the vehicle.

The learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case and they have no knowledge about the illicit liquor loaded on their vehicle. Petitioner no. 1 is the driver of the vehicle and petitioner no. 2 is a co-passenger. The charge-sheet has been submitted in this case. The petitioners are in custody since 25.10.2021 and are having clean antecedent.

Learned APP opposes the prayer for bail submitting that the petitioners were transporting the liquor and they have full knowledge about the contraband.

Having regard to the submissions made hereinabove and considering the fact that the charge-sheet has been submitted in this case and the petitioners are in custody since 25.10.2021, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna, in connection with Saksohara P.S. Case No. 54 of 2021, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.



(ii) The petitioners will remain present on each and every date fixed by the court below.

(iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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