

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9010 of 2022

Arising Out of PS. Case No.-248 Year-2021 Thana- RAJAOLI District- Nawada

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1. BALMUKUND YADAV @ BALMUKUND KUMAR SON OF DAMODAR PRASAD YADAV
 2. VIKASH YADAV SON OF RAMAVATAR PRASAD
Both R/O VILLAGE - KUMHARUWA, P.S.- RAJOULI, DISTRICT-
NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-03-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioners seek regular bail in connection with
Rajouli P.S. Case No. 248 of 2021 instituted for the offences
under Section 414 of the Indian Penal Code read with Section
30(a)(d) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that the
petitioners are in custody since 27.10.2021 and charge-sheet has
been submitted in this case. Petitioner No. 2 is a person with
clean antecedent and petitioner no. 1 has antecedent of one case.

Allegation is of recovery of 309 litre of liquor from



Scorpio.

Learned counsel for the petitioners submits that the petitioners are neither the owner nor the driver of the vehicle. Petitioners were mere passerby who came to be implicated when the search was being made.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioners.

Considering the fact that the petitioners are in custody, charge-sheet has been submitted and petitioner no. 2 has clean antecedent and petitioner no. 1 has antecedent of one case, let the petitioners above named be released on bail on furnishing bail bonds of Rs.3,000/- (Rupees Three Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court 2, Nawada in connection with Rajouli P.S. Case No. 248 of 2021.

(Satyavrat Verma, J)

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