

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15060 of 2022**

Arising Out of PS. Case No.-675 Year-2021 Thana- CHAPRA MUFFASIL District- Saran

1. Lakhbindra Singh, S/o Harvel Singh @ Ravel Singh R/o Village- Fatehgarh, P.S.- Sadar, District- Pathan Kot, Punjab
2. Jasir, S/o Jagdish Singh R/o Village- Gazipur, P.S.- City, Dist.- Patiala, Punjab

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sumit Shekhar Pandey, Advocate

For the Opposite Party/s : Mrs.Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

4      02-09-2022                      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 Chapra Muffasil P.S. Case No. 675 of 2021, registered for the alleged offence under Sections 30 (a), 32 (ii) (iii), 36 and 41 (i) (ii) of the Bihar Prohibition and Excise Act.

As per the prosecution case, on the basis of secret information, a truck was intercepted and from the search of this truck, total 1791 litres of India made foreign liquor was



recovered. The petitioners are stated to be the driver and cleaner of the truck and they were apprehended while running away from the truck when the raid was made.

The learned counsel for the petitioners submits that the petitioners being the driver and cleaner have no knowledge about the consignment and they were only doing their duty and they have no idea about the liquor loaded in the truck. Nothing incriminating has been recovered from their conscious possession. The charge sheet has been submitted in this case. the petitioners are in custody since 11.12.2021 and are having clean antecedents.

The learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made hereinabove and considering the submission of charge sheet and period of custody of the petitioners along with their clean antecedents, they 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 Exclusive Special Judge, Excise, Saran at Chapra, in connection with Chapra Muffasil P.S. Case No. 675 of 2021, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also 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 on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

V.K.Pandey/-

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**(Arun Kumar Jha, J)**

