

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14614 of 2022

Arising Out of PS. Case No.-9 Year-2022 Thana- TETERHAT District- Lakhisarai

1. Santosh Mandal @ Santosh Kumar Son of Baldev Mandal Resident of Village - Mahulidih, P.s.- Taratand, Distt.- Giridih (Jharkhand).
2. Raj Kumar Pandit @ Raju Kumar Pandit @ Raju Kumar Son of Kartik Pandit Resident of Village - Mahulidih, P.s.- Taratand, Distt.- Giridih (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan, Advocate

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-07-2022 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 Tetarhat P.S. Case No. 09 of 2022 registered for the alleged offences under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution case is that from the vehicle of the petitioners, 900 liters of Indian made foreign liquor was recovered. The petitioners are stated to be driver and cleaner of



the said vehicle.

Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case merely on suspicion. The petitioners are merely driver and cleaner and they have nothing to do with the consignment loaded on their vehicle. The charge sheet has been submitted in this case and the petitioners are in custody since 20.01.2022 and are having clean antecedent.

Learned APP opposes the prayer for bail.

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 20.01.2022, 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 the learned 2nd Additional District and Sessions Judge-cum-Special Judge (Excise), Siwan. in connection with Tatarhat P.S. Case No. 09 of 2022 subject to the following conditions :

- (i) One of the bailors of the petitioner no. 2 will be the deponent, who has sworn the affidavit, and will be a close relative for the petitioner no.



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

(iii) The petitioners will not indulge in similar type of offences in future.

(iv) 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.

(Arun Kumar Jha, J)

V.K.Pandey/-

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