

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16837 of 2022

Arising Out of PS. Case No.-347 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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1. ROHIT @ MONU Son of Raj Kumar Resident of Village - Khargada Ward no.14, P.s.- Khargoda, Distt.- sonipat, State- Hariyana.
 2. Balvir Singh Son of Shyamalal Resident of Village - Nagar, P.s.- Akshnera, Distt. - Agra, State Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Sharan Singh

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceeding.

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 Excise Case No. 347 of 2021 registered for the alleged offences under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The petitioners were apprehended carrying 1350 liters of illicit liquor in ambulance. The petitioner no. 1 is stated to be the driver and petitioner no. 2 is stated to be helper .



The learned counsel for the petitioner submits that the petitioners have no concern with the alleged occurrence and recovery of illicit liquor. Petitioners are not the owner and they have no knowledge about the liquor kept in the vehicle. Charge sheet has been submitted in this case and the petitioners are in custody since 10.12.2021.

Learned APP for the State opposes the prayer for bail of the petitioners.

Having regard to the submissions made hereinabove and considering the fact that charge sheet has been submitted and petitioners are in custody since 10.12.2021, the petitioners above named are directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-IV-cum-Special Judge Excise Court-II, Gopalganj in connection with Excise Case No. 347 of 2021, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner 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 bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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