

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25395 of 2022

Arising Out of PS. Case No.-248 Year-2021 Thana- KASBA District- Purnia

1. SAMAR KUMAR GHOSH @ SAMAR GHOSH Son of Sukumar Ghosh Resident of village - Islampur Ramkrishnapuri, P.O. and P.S.- Islampur, District - Uttar Dinajpur, West Bengal.
2. Lal Babu Kumar @ Manager @ Lalu Son of Ram Naresh Ray Resident of village - Kharika, Pakhnaha, P.O. and P.S.- Minapur, District - Muzaffarpur, Bihar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Adv.
For the Opposite Party/s : Ms.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 31-05-2022 Learned counsel for the petitioner is directed to remove all the defects pointed out by the stamp reporter within one month.

Heard learned counsel for the petitioner as well as learned APP for the State.

In this case, the petitioners are seeking regular bail in connection with Kasba P.S. Case No. 248 of 2021, registered for the offences punishable under Sections 272, 273, 34 of the Indian Penal Code and Section 30 (a), 38 (1), 41 (I) of Bihar Prohibition and Excise Act, 2016.

When the police was indulged in vehicle checking, one Scorpio vehicle driven rashly came there escorting a truck. The accused persons present in the Scorpio and truck disclosed their



names as Sarabjeet Singh, Satnam Singh, Ram Bahadur Singh, Shankar Kumar Mandal, Prem Kumar Yadav and Ravi Kumar. 1295.250 litres of liquor was recovered from those vehicles.

Learned counsel for the petitioner has submitted that the petitioners are not named in the FIR. Their names have figured in the confessional statement of co-accused. He has submitted further that petitioner No. 1 is under custody since 12.01.2022 and petitioner No. 2 is under custody since 07.01.2022.

On the other hand, learned APP has submitted that the petitioners have criminal antecedents against their account.

Considering the period of incarceration as well as the fact that the petitioners have not named in the FIR, **the petitioners above-named is directed to be released on bail after framing of charge** on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1 Purnea, in connection with Kasba P.S. Case No. 248 of 2021.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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