

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44134 of 2021

Arising Out of PS. Case No.-97 Year-2021 Thana- OBRA District- Aurangabad

1. PANKAJ KUMAR S/o Ram Dinesh Singh @ Ram Dinesh Sharma R/o village- Dhangain, P.S.- Jamhor, District- Aurangabad
2. Ravi Kumar S/o Late Ram Paswan R/o village- Dhangain, P.S.- Jamhor, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh
For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-02-2022 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor representing the State.

The petitioners seek regular bail in connection with
Obra Police Station Case No. 97 of 2021 (G.R. No. 621 / 2021)
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2018.

The prosecution case, as per the first information
report, is that the police, on the basis of secret information that
consignment of liquor was being unloaded from a truck upon a
Bolero vehicle, proceeded towards the place of occurrence and
upon seeing the police party, some of the accused persons
started fleeing away, however, the police arrested three persons



(including petitioner no. 2) from the truck and two persons (including petitioner no. 1) from the Bolero and a total quantity of 2406 litres of illicit liquor was recovered from the truck and 375 litres of illicit country-made liquor was recovered from the Bolero vehicle.

Learned counsel for the petitioner submits that petitioners have falsely been implicated in this case with oblique motive having no criminal antecedent. He further submits that petitioners had taken a lift in the vehicles, in question and were not aware about illicit liquor being kept therein. He further submits that similarly situated co-accused, who was found sitting in the truck and arrested along with the petitioners, namely, Mithilesh Singh, has been granted bail by a co-ordinate Bench of this Court, vide order passed in Criminal Misc. No. 40187 of 2021. He further submits that co-accused Dharendra Kumar has been granted bail by this Court, vide order passed in Criminal Misc. No. 40397 of 2021. He further submits that the petitioners are in custody since 12.05.2021 and charge sheet has already been submitted against the petitioners and as such, there is no likelihood that the petitioners will abscond and/or tamper with the evidence.

Regard being had to the submissions made by the



parties and taking into consideration the materials available on record and the fact that petitioners have got no criminal antecedent, they are in custody since 12.05.2021, charge sheet has already been submitted and similarly situated co-accused persons have been granted bail by this Court, I am inclined to grant regular bail to the petitioners.

This application is, accordingly allowed.

Let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs. 20000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge –cum- Special Judge, Excise, Aurangabad in connection with Obra P.S. Case No. 97 of 2021 (G.R. No. 621 of 2021).

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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