

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45021 of 2021

Arising Out of PS. Case No.-101 Year-2021 Thana- KASHICHAK District- Nawada

1. SANTOSH KUMAR @ SANTOSH PRASAD Son of Mahendra Prasad
Resident of Village - Baghibardiha, P.S. - Warsaliganj, District - Nawada.
2. BIBHISHAN KUMAR S/o Shivdani Mahto R/o Village - Khojpura, P.S. -
Warisaliganj, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Adv.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 31-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 1574.2 litres of liquor is said to have been recovered from a specially made chamber in the truck of which the two petitioners were the driver and *khalasi*.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. No incriminating article has been recovered from their



possession or their truck. They are in custody since 18.3.2021 and 15.6.2021 respectively and have no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case specially that the recovery is said to have been made from a specially made chamber in the truck of which the petitioners are the driver and *khalasi*, the Court is not inclined to enlarge the petitioners on bail and their application is rejected.

Liberty is granted to the petitioners to renew their prayer for bail after completing one year in custody.

(Partha Sarthy, J)

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