

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42140 of 2022

Arising Out of PS. Case No.-245 Year-2021 Thana- RANIYATALAB District- Patna

1. LALIT Son of Late Om Prakash Resident of Village - and PO.- Ashaundha Siwan, P.s.- Bahadurgarh, Distt.- Jhajhar (Haryana).
2. Sunil Kumar @ Sonu Son of Krishna Kumar Resident of Village - Vkash Nagar, Near S.K. Mahila College, Bhiwani Road, Jind, P.S.- Jind, Distt.- Jind (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Prakash, Advocate
For the Opposite Party/s : Ms.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 27-08-2022 Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioners seek bail in connection with Ranitalab
P.S. Case No. 245 of 2021 registered for the offence under
Sections 419, 420, 467, 468, 471/120(B) of the I.P.C. and under
Sections 30(a), 32(ii)(iii), 36 and 41 of the Bihar Prohibition and
Excise Act, 2018.

The accused/petitioners are named in the F.I.R. and
are in custody since 24.12.2021.



The allegation against the petitioners is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 2923.56 litres of IMFL/country made liquor from the alleged Truck.

Learned counsel appearing on behalf of the petitioners submitted that both petitioners are driver and co-driver of the alleged vehicle from where recovery of illicit liquor was made. It is further submitted that nothing surfaced during the course of investigation which may suggest that petitioners are under knowledge to have in possession of illegal consignment of illicit liquor. It has been submitted that both petitioners are men of clean antecedent and moreover, investigation is complete, where charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor has not been made from the conscious physical possession of the petitioners, who are a men of clean antecedent coupled with the fact that charge-sheet has been submitted, let both the petitioners, above named, are directed to be released on bail in connection with Ranitalab P.S. Case No. 245 of 2021 on furnishing bail bond of Rs.10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Danapur at Patna/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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