

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44218 of 2022

Arising Out of PS. Case No.-467 Year-2019 Thana- PAROO District- Muzaffarpur

1. Vikash Kumar Son Of Shankar Patel Resident Of Village- Sadanpura, P.S.- Kathaiya, District- Muzaffarpur
2. Rameshwar Das @ Langara Son Of Sukhlal Das Resident Of Village- Sadanpura, P.S.- Kathaiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioners and learned APP for the State through video conferencing.

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 Paroo P.S. Case No. 467 of 2019 registered for the alleged offences under Sections 307 and 34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 30 and 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, total recovery of 2499.84 litres of India made foreign liquor was made from a truck and



another vehicle. The petitioners are stated to be involved in the illegal trade and transportation of the liquor. The names of the petitioners were disclosed by the co-accused who was apprehended from the spot.

The learned counsel for the petitioners submits that the petitioners have nothing to do with the recovery of alleged liquor and nothing incriminating has been recovered from their conscious possession and they were having no knowledge about the consignment loaded on the truck. Charge-sheet has been submitted in this case and the petitioners are in custody since 28.05.2022. Petitioners are having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the clean antecedent of the petitioners along with submission of charge-sheet and period of custody of the petitioners, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise -II, Muzaffarpur in connection with Paroo P.S. Case No. 467 of 2019, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following



conditions :

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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