

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44753 of 2022

Arising Out of PS. Case No.-314 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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1. Ranjan Kumar, Son of Late Subhash Singh, Resident of Village - Sebti, P.s.-
Dhanarua, Distt.- Patna.
 2. Vishal Kumar, Son of Rajendra Singh, Resident of Village - Panpura, P.s.-
Dhanarua, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Rajendra Singh, 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.

In the present case, the petitioners seek bail in
connection with Excise P.S. Case No. 314 of 2022 registered for
the alleged offences under Sections 30(a) and 56(b) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

As per prosecution case, total recovery of 140.25
litres of India made foreign liquor was made from a Scorpio
vehicle which was intercepted by the police and the petitioners
were apprehended from the said vehicle.

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. The vehicle from which recovery is stated to be made does not belong to the petitioners. Petitioner no.1 is the driver and petitioner no.2 is a passenger sitting in this vehicle. The petitioners have no knowledge about the illicit liquor which was kept in the vehicle. Charge-sheet has been submitted in this case and the petitioners are in custody since 09.06.2022. 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 Exclusive Special Excise Court No-3, Gaya in connection with Excise P.S. Case No. 314 of 2022, 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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