

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58796 of 2021

Arising Out of PS. Case No.-293 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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1. Rajesh Pratap Son Of Late Dharmraj Paswan Resident Of Village - 169 T. Hudas, Industrial Area, Kirti Nagar, Distt.- West Delhi.
 2. Rahul Chaudhary Son Of Late Ashok Chaudhary Resident Of Village - D-829, 12.5 Yadar , Raghuvir Nagar, Tagor Garden , P.S.- Rajouri, Dist.- West Delhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-04-2022 Let the defects, if any, be removed within four weeks from today.

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners seek bail in a case registered in connection with Complaint Case No. C-III-293/21 for the offences punishable under Sections 30(a) of the Bihar prohibition & Excise Act 2018.

As per the prosecution case, it is alleged that in course of vehicle checking, the police intercepted one Ambassador Car and on search 160 liters of foreign made liquor of different makes was recovered.



It is submitted on behalf of the petitioners that petitioner no. 1 is driver and petitioner no. 2 was co-driver of the said car and they had no knowledge about the illicit liquor was concealed in cartoons under the seat by the owner and others. It is further submitted that during course of investigation, no incriminating material has come which suggest the connection of this petitioners in the alleged recovery. It is next submitted that these petitioners have no criminal antecedent and are in custody since 6.08.2021.

The learned A.P.P opposed the prayer for bail of the petitioner..

Having heard the rival contentions of the parties and taking into consideration the fact that recovery has been made from a car of which the petitioners are driver and co-driver and these petitioners are in custody since 06.08.2021, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II cum Special Judge Excise, Siwan in connection with Complaint Case No. C-III, 293 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-



(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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