

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55229 of 2021

Arising Out of PS. Case No.-648 Year-2021 Thana- NAWADA District- Nawada

1. AJIT KUMAR SONI @ AJIT SONI S/o Krishna Prasad Soni R/o village- Shivganj, P.S.- Rafiganj, District- Aurangabad, Presently resident of Jardih Bazar, P.S.- Gandhi Nagar, District- Bokaro (Jharkhand) (Reside in rental house of Doman Thakur)
2. Dilip Saw R/o village- Bhagwanpur, P.S.- Silav, District- Nalanda, presently resident of Jardih Bazar, P.S.- Gandhi Nagar, District- Bokaro (Jharkhand) (reside in rental house Binod Saw)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 05-04-2022 Heard learned counsel for the parties.

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, 288 litres of liquor was recovered from the tempo of which the two petitioners herein are the driver and khalasi.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from from the petitioners possession or from their vehicle. They have been falsely implicated in the case. They are in custody since 20.6.2021 and have no criminal antecedent.

The application for bail is opposed by learned APP for the



State who submits that both the petitioners reside outside the State of Bihar and they will not cooperate in the trial if they are enlarged on bail.

Having heard learned counsel for the parties and taking into consideration the facts of the case specially the petitioners not having any criminal antecedent and having remained in custody for more than 9 months, the petitioners are directed to be enlarged on bail in connection with Nawada (Kadirganj O.P.) P.S. Case no. 648 of 2021 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge II – cum – Special Judge, Nawada on the following conditions:

(I) One of the bailors of both the petitioners shall be a close relative of the respective petitioners.

(II) The other bailor of the two petitioners shall be resident of a place within the jurisdiction of the learned trial court.

(Partha Sarthy, J)

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