

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58273 of 2021

Arising Out of PS. Case No.-208 Year-2021 Thana- ARWAL District- Jehanabad

1. Ravi Kumar S/O Rohtas R/O Village-Kharkhoda, P.S.- Kharkhoda, District-Sonipat (HARIYANA).
2. Jitendra Kumar Singh S/O Bhrigunath Singh R/O Ward No. 2, Pilikothi, P.S.- Danapur, District-Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-01-2022 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in connection with Arwal P. S. Case No.208 of 2021, instituted for the offences under Sections 30(A) of the Bihar Prohibition and Excise Act.

The learned counsel for the petitioners submits that the petitioners are in custody since 27.07.2021, they are persons with clean antecedents and charge-sheet has been submitted in the case.

Allegation is of recovery of 943 litre of liquor from an ambulance and the apprehended accused disclosed the name of the driver as Ravi Kumar, who fled away and



later, was apprehended in a Scorpio car along with the petitioner and others. The said Ravi Kumar disclosed that the said liquor was to be delivered to the petitioner no.2 and other named accused persons.

The learned counsel for the petitioners submits that Ravi Kumar was made to confess under duress by the police that the liquor was to be delivered to the petitioner. It is submitted that neither Ravi Kumar nor the petitioner were apprehended when the ambulance was intercepted.

The learned counsel for the petitioners submits that admittedly, the petitioners were not apprehended at the spot nor it is alleged that petitioner no.2 fled when the ambulance was intercepted rather the name of petitioner no.2 transpired based on the confessional statement of Ravi Kumar that the liquor was to be delivered to the petitioners and others, who were sitting with Ravi in Scorpio vehicle which has no evidentiary value.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioners are in custody since 27.07.2021, they are persons with clean antecedents and charge-sheet has been submitted in the



case, the petitioners, above-named, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Jehanabad in connection with Arwal P. S. Case No.208 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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