

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47873 of 2022

Arising Out of PS. Case No.-181 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Kaimur (Bhabua)

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1. Monu, S/o Late Satveer Singh, R/o village- Nangloi Delhi, P.S.- Nangloi, District- Delhi (Uttar Pradesh)
 2. Lalit, S/o Shri Karamveer, R/o village- Shidipur, P.S.- Bahadurgarh Sadar, District- Jhajjar (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-10-2022 Heard learned counsel for the petitioners and learned
APP for the State.

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 P.R. Case No. 181 of 2022 registered for the
alleged offences under Sections 30(a) and 32(3) of the Bihar
Prohibition and Excise Act, 2016.

As per prosecution case, total 431.640 litres of foreign
liquor was recovered from a Swift car during vehicles checking.
The petitioners were apprehended from the spot.

The learned counsel for the petitioners submits that



the petitioners are innocent and have been falsely implicated in this case. They are not the owner of the said car. The owner of the car had requested the petitioner no.1 to bring one of his family members from Gaya and while he was going there he met petitioner no.2 who requested petitioner no.1 to drop him to Gaya and thus he also accompanied him. The petitioners had no knowledge of the present of the liquor inside car. The petitioners are in custody since 23.07.2022 and charge-sheet has been submitted. The petitioners are having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the period of custody and clean antecedents 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 Court No.2, Kaimur at Bhabua in connection with P.R. Case No. 181 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and 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 for 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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