

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61788 of 2021

Arising Out of PS. Case No.-3 Year-2021 Thana- SARE District- Nalanda

1. VIJAY SANDE Son of Late Babu Lal Sande @ Babulal Resident of Village and P.S.- Debpalpur (Depalpur), Mangleshwar Marg, District- Indore, Madhya Pradesh.
2. Dheru Singh Son of Raje Singh Resident of Village- Dewati, P.S.- Barh Ganga, District- Indore, Madhya Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-01-2022 Heard learned counsel for the petitioners and learned A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period of four weeks after complete start of the physical Court.

The petitioners seek regular bail in connection with Sare P.S. Case No. 03 of 2021 instituted for the offences under Sections 420, 467, 468 of the Indian Penal Code read with Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioners submits that the petitioners are in custody since 05.01.2021, are persons with clean antecedent and charge-sheet has been submitted in this case.



Allegation is of recovery of 1726.12 litre of liquor from the different vehicles i.e. Mini Truck, Pick-up Van and Tractor as detailed in the FIR.

Learned counsel for the petitioners submits that petitioner no. 1 is the driver and petitioner no. 2 is the cleaner of the Mini Truck and, as such, were not aware what was loaded by the owner of the Mini Truck for its transportation.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioners.

Considering the fact that the petitioners are in custody, are persons with clean antecedent and charge-sheet has been submitted, let the petitioners above named be released on bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Nalanda at Bihar Sharif in connection with Sare P.S. Case No. 03 of 2021.

(Satyavrat Verma, J)

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