

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61365 of 2021

Arising Out of PS. Case No.-272 Year-2021 Thana- AURANGABAD TOWN District-
Aurangabad

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1. SAROJ KUMAR JAISWAL S/o Jeetu Ram R/o Navapura, P.S.- Tahbarpur, District- Azamgarh, Uttar Pradesh.
 2. Kamlesh Yadav Son of Ram Pyare Yadav R/o Laharpar, P.S.- Kaptanganj, District- Azamgarh, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey, Adv.

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 10-05-2022 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, a total of 7350 litres of country liquor was recovered from a truck of which the petitioners are the driver and khalasi.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. No incriminating article has been recovered from the petitioners possession. They are in custody since 12.7.2021 and have no criminal antecedent. The petitioners are ready to abide by all the



conditions which may be laid by this Court for their release on bail.

The application for bail is opposed by learned A.P.P. for the State who submits that the petitioners are resident of outside the State of Bihar.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the recovery of 7350 litres of liquor from a truck of which the petitioners were the driver and khalasi, the Court is not inclined to enlarge the petitioners on bail and the application is rejected.

Liberty is granted to the petitioners to renew their prayer for bail after six months.

(Partha Sarthy, J)

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