

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62471 of 2021

Arising Out of PS. Case No.-121 Year-2021 Thana- SARAI District- Vaishali

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1. Naeem @ Naim Son of Lateef Resident of House No.-15/2 Ashok Bihar Colony Kabulbag Panipat, P.S.- City, District- Panipat (Haryana)
 2. Kishan Paswan Son of Ramkishun Paswan Resident of Village- Nawladeeh, P.S.- Birpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Pronoti Singh, APP

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.

The petitioners seek regular bail in connection with Sarai P.S. Case No. 121 of 2021 instituted for the offences under Sections 272, 273 and 34 of the Indian Penal Code read with Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioners submits that the petitioners are in custody since 19.05.2021, are persons with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioners submits that allegation is of recovery of 11611.440 litres of liquor from a container truck and the petitioner who was sitting in the truck seeing the police tried to flee but were apprehended after chase.



Learned counsel for the petitioners submits that petitioner no. 1 is the driver and petitioner no. 2 is the cleaner of the said truck and they did not run away after seeing the police, rather they stayed sitting in the truck as they were completely unaware what the owner had got loaded in the truck for transportation. Learned counsel further submits that the police arrested the driver and the cleaner but the real culprits who are the suppliers of the liquor are not being able to be tracked.

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

Considering the fact that the petitioners are in custody since 19.05.2021, charge-sheet has been submitted in the case, petitioners are persons with clean antecedent and it is their first offence, let the petitioners above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Sarai P.S. Case No. 121 of 2021 with a condition that one of the bailors shall be their fathers namely Lateef and Ramkishun Paswan respectively.

(Satyavrat Verma, J)

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