

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53974 of 2022

Arising Out of PS. Case No.-245 Year-2022 Thana- MOHANIYA District- Kaimur (Bhabua)

1. Bheem Prajapati Son of Mohan Prajapati Resident of Sakin - Vishopur, P.S.- Karhagar, District - Rohtas.
2. Raju Kumar Son of Ashok Kumar Singh Resident of Sakin - Lakhanpura, P.S.- Karhagar, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual mode.

The petitioners seek regular bail in connection with
Mohania P.S. Case No. 245 of 2022 lodged under Sections
30(a), 41(i) of Bihar Prohibition and Excise Amended Act,
2018.

As per the prosecution case, the total recovery of
556.2 litre wine is the subject matter of the present case.

Learned counsel for the petitioners submit that
petitioners are unnecessarily booked in this case and they are
completely innocent. Learned counsel further submits that
petitioner No.1 is the driver of the Scorpio vehicle and P-2 is

associate of P-1 but they are completely unaware that what is loaded on the vehicle because they have given the said vehicle to the transport company. Learned counsel further submits that petitioners' antecedent are clean and they are in custody since 12.05.2022. Learned counsel further submits that petitioner No.2 is alleged to be the associate and sitting in the vehicle.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise cum- Addl. District and Sessions Judge-II Kaimur at Bhabhua in connection with Mohania P.S. Case No. 245 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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