

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55639 of 2022

Arising Out of PS. Case No.-305 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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1. Sashikant Tiwari @ Shashikant Tiwary Son of Late Gulab Chand Tiwari (Driver), R/O- Dhurwa, P.S.- Dhurwa, Dist.- Ranchi (Jharkhand).
 2. Jawala Rai Son of Late Haribodh Rai (Khalasi), R/O- Jaran Gobar Toli, P.S.- Gaya Ghat, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 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 Excise P.S. Case No. 305 of 2022 lodged under Sections 30(a), 56(b) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, total recovery of 168.750 liter of wine kept in the secret chamber of a bus has been made, which is subject matter of the present case.

Learned counsel for the petitioners submits that petitioner no. 1 is the driver and petitioner no. 2 is the conductor of the said bus. He submits that owner of the bus is a different person and petitioners have recently joined him for driving the bus. Learned counsel for the petitioner submits that petitioners

were completely unaware of the said secret chamber inside the bus. Learned counsel for the petitioner submits that petitioners are innocent and have committed no offence. He further submits that petitioners are in custody since 30.05.2022 having clean antecedent. Charge-sheet has already been filed in this case.

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) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, Special Judge Excise or the concerned Court Patna in connection with Excise P.S. Case No. 305 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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