

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70242 of 2021

Arising Out of PS. Case No.-340 Year-2021 Thana- RAMPUR District- Gaya

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1. SANTOSH KUMAR S/O RAJDEO PASWAN R/o village- Daud Nagar Jangali Tola, P.S.- Vaishali, District- Vaishali
 2. Jitendar Yadav S/o Late Shambhu Yadav R/o village- West Kargahiya, P.S.- Kalibag, District- Bettiah

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-05-2022 Heard the parties.

Petitioners seek regular bail in connection with Rampur PS Case No. 340 / 2021 registered under Section 272 / 273 / 430 / 120 (B) of the IPC and Section 30(a) / 33 / 36 / 41 (1) of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case police recovered 1155 liters of spirit from a truck bearing Registration No. BR-22GA-4917 and arrested two persons.

Learned counsel for the petitioners submits that petitioners have not committed any offence in the manner alleged and they have falsely been implicated by police due to oblique motive. Learned counsel further submits that petitioners



are not the owner or the driver of the truck in question and they only took lift on the truck having no knowledge about illicit spirit being kept therein. The petitioners have clean antecedent, they are in custody since 13 / 10 / 2021 and charge sheet has already been submitted.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioners have got no criminal antecedent, they are in custody since 13/10/2021, charge sheet has already been submitted and there is no likelihood that petitioners will abscond or tamper with the evidence , as such, I am inclined to grant regular bail to the petitioners.

Let the petitioners, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J. -II- cum - Special Judge of Excise Act, Gaya in connection with Rampur PS Case No. 340 of 2021.

(Anil Kumar Sinha, J)

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