

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66019 of 2022

Arising Out of PS. Case No.-485 Year-2022 Thana- MASAUDHI District- Patna

1. Suraj Kumar S/O Lal Babu Paswan Resident of village- Tetari, P.S.- Dhanarua, District- Patna.
2. Santosh Kumar S/O Shiv Vachan Das Resident of village- Sukhtiya, P.S.- Masaurhi, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Prasad, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-12-2022 Heard learned counsel appearing on behalf of the petitioners and learned counsel appearing on behalf of the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioners seek bail in connection with Masaurhi P.S. Case No. 485 of 2022 registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioners are named in the F.I.R. and are in custody since 01.08.2022.

The allegation against the petitioners is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 630 litres of IMFL/country made liquor from the alleged vehicle.



Learned counsel appearing on behalf of the petitioners submitted that admittedly, petitioners were labourers engaged for unloading vehicles and having no connection with recovered illicit liquor. While concluding the argument, it has been submitted that both petitioners are men of clean antecedents and moreover, investigation has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as petitioners was engaged as labourers, who are the men of clean antecedents coupled with the fact that charge-sheet has been submitted, let both above named petitioners are directed to be released on bail in connection with Masaurhi P.S. Case No. 485 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise, Patna/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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