

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2998 of 2023

Arising Out of PS. Case No.-405 Year-2022 Thana- RIVILGANJ District- Saran

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1. LEKHAMA RAM @ LIKHAMA RAM Son of Kheraj Ram Resident at Kagau, P.S.- Sadar Barmed, District - Barmed, Rajasthan.
 2. Goga Ram Son of Padama Ram Resident at Nawatula Rathoran, P.S.- Dhorimana, District - Barmed, Rajasthan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghwendra Pratap Singh
For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 07-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 467, 468, 471/34 IPC & Sections 30(a), 32, 41(1) of the Bihar Prohibition & Excise Act.

Prosecution case relates to recovery of total 6441 liters of illicit liquor from two trucks and the petitioners are said to be drivers of the seized vehicle.

Learned counsel appearing on behalf of the petitioners have submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this present case. They have got no criminal antecedent as stated in para-3 of



the petition. Petitioners are alleged to be only drivers of the vehicles but they have no concern with the alleged recovery illicit liquor. No any incriminating article has been recovered from their possession. The petitioners are languishing in judicial custody since 2.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioners are drivers and they were apprehended on spot with the alleged recovery of illicit.

The petitioners are directed to deposit a sum of Rs 50,000/- (Fifty Thousand) each in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Rivilganj P.S. Case No.405 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Court, Saran at Chhapra.

The bail bonds of the petitioners shall be accepted by the learned court below on showing the receipt of deposit of Rs.



50,000/- (Rs. Fifty thousand) each by the petitioners in the
account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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