

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4869 of 2023

Arising Out of PS. Case No.-382 Year-2022 Thana- DURGAWATI District- Kaimur (Bhabua)

1. MANOJ SINGH S/O LATE SUBEDAR SINGH Resident of Village- Habusahi, P.S.- Chandak, District- Jaunpur (U.P.)
2. SANTOSH KUMAR YADAV S/O LATE VISHWANATH YADAV Resident of Village- Bhuiyan Tola, Keshaw Market, P.S.- Varun, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey, Adv.
For the Opposite Party/s : Mr.J.N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 28-04-2023 Heard learned counsel for the petitioners as well as learned APP for the State.

In this case, the petitioners are seeking regular bail in connection with Durgawati P.S. Case No. 382 of 2022, registered for the offences punishable under Sections 30 (A) of Bihar Prohibition and Excise (Amendment) Act.

Learned counsel for the petitioner has submitted that the petitioner No. 1 is driver and petitioner No. 2 is cleaner of a pick-up van wherefrom 1717.905 litres of liquor was recovered. He has submitted that they were mere employees of the truck owner and they were not aware of the consignment loaded on that truck. Both the petitioners are the persons of



clean antecedents and they are under custody since 20.12.2022.

Considering the above-mentioned facts and circumstances, let the petitioners, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge-Excise, Patna in connection with Durgawati P.S. Case No. 382 of 2022, subject to the following conditions:-

(i) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(ii) If the petitioners are found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioners and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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