

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7877 of 2023

Arising Out of PS. Case No.-342 Year-2022 Thana- RAJPUR District- Buxar

1. WARIS Son of Hasan Mohamad Resident of Village - Golpuri, P.S.- Nohu, District - Nohu Mewar, State - Hariyana
2. Amir Son of Ishan Resident of Village - Golpuri, P.S.- Nohu, District - Nohu Mewar, State - Hariyana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners prayed for regular bail in connection with Rajpur P.S. Case no. 342 of 2022 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of huge quantity of illicit liquor i.e. 1492.20 liters from a container bearing Registration no. DLIL-AE2338 and these petitioners are alleged to be driver and *Khalasi* of the said container.

Learned counsel appearing on behalf of the petitioners have submitted that petitioners are innocent and has committed no offence. They have falsely been implicated in this present



case. A statement has been made in para-3 of the petition that the petitioners have got no criminal antecedent. Petitioners have no concern with the alleged recovery of liquor. No any incriminating article has been recovered from their possession. It is further submitted that the petitioners are languishing in judicial custody since 1.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioners were apprehended on spot who disclosed as they were driver and *khalasi* of the said container.

The petitioners are directed to deposit a sum of **Rs 30,000/- (Thirty 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 Rajpur P.S. Case No. 342 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Court of Special Excise Court No.1, Buxar.

The bail bonds of the petitioners shall be accepted by



the learned court below on showing the receipt of deposit of **Rs. 30,000/- (Rs. Thirty thousand) each** by the petitioners in the account of the concerned DLSA.

Amandeep/-

(Sunil Kumar Panwar, J)

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