

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8430 of 2023

Arising Out of PS. Case No.-813 Year-2022 Thana- KANTI District- Muzaffarpur

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1. Banne Singh @ Banni Singh Son Of Omprakash @ Om Prakash R/O Village- Indrashar, P.S.- Rajgarh, District- Churu (Rajasthan)
 2. Brijlal @ Birju Son Of Sombir R/O Village- Indrashar, P.S.- Rajgarh, District- Churu (Rajasthan)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-05-2023 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, 420, 468, 467, 471/34 of the IPC and Sections 30(a), 32(i), 32(ii), 36 and 41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 2385.00 liters country made foreign liquor from a container bearing Registration No. GT09Z-2526 and the petitioners are said to be driver and cleaner of the said vehicle.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They has 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 illicit liquor. No any incriminating article has been recovered from their conscious possession. The petitioners are languishing in judicial custody since 27.11.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioners are said to be driver and cleaner of the said truck from where the recovery has been made and they were also apprehended on spot.

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 Kanti P.S. Case No. 813 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 Exclusive Special Judge, Excise, Court No.-II, Muzaffarpur.



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) by the petitioners in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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