

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15035 of 2023

Arising Out of PS. Case No.-84 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

1. Rakesh Kumar S/O Bajrangi Sah R/O- Kaulodihara @ Kaul Dihari, P.S.- Chauri, District- Bhojpur
2. Pradumman Kumar S/O Tejlal Sah R/V- Barakagaon, P.S.- Tarari, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

- 2 08-05-2023 1. Heard learned counsel for the petitioners and the learned APP for the State.
2. Petitioners seek regular bail in connection with Mohania P.S. Case No. 84 of 2023 dated 05.02.2023 registered for the offences punishable under Section 414 of IPC and Sections 30(a) and 47 of Bihar Prohibition and Excise Act.
3. The main submissions advanced by learned counsel for petitioners are that the instant matter relates to the recovery of 115.65 litres of country made English wine and the same is stated to have been recovered from TATA Magic Gold vehicle and as per the allegation the petitioner no. 1 is stated to be the driver of the said vehicle and petitioner no. 2 was found seated in the said vehicle when the alleged wine was recovered from

the said vehicle, infact the petitioner no. 1 had no knowledge of the alleged wine being loaded in his vehicle and he was bonafidely discharging his duty of the driver and petitioner no. 2 was simply travelling in the said vehicle as a passenger. Further submissions are that both the petitioners have fair and clean antecedent and they have been languishing in jail since 05.02.2023, and against them the investigation has been completed.

4. Learned APP for the State opposes the bail prayer of the petitioners.

5. Considering the above submissions and mainly the petitioners' fair and clean antecedent and the completion of investigation against them, in my opinion, it is a fit case for bail to the petitioners. Accordingly, let the petitioners named above be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of concerned Court in connection with Mohania P.S. Case No. 84 of 2023.

(Shailendra Singh, J)

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