

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20922 of 2023

Arising Out of PS. Case No.-27 Year-2023 Thana- BIHTA District- Patna

1. Saurabh Kumar Son Of Indradev Paswan @ Indradev Das Resident Of Village - Mor P.S. - Mokama, Distt. - Patna
2. Vikash Kumar Son Of Pramod Ram @ Pramod Rai Resident Of Village - Mor, P.S. - Mokama, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 10-05-2023 1. Heard learned counsel for the petitioners and the learned APP for the State.

2. Petitioners seek regular bail in connection with Bihta P.S. Case No. 27 of 2023 dated 11.01.2023 registered for the offences punishable under Section 414 of the Indian Penal Code and Sections 30(a), 32(i)(ii) and 41 of Bihar Prohibition and Excise Act.

3. The main submissions advanced by learned counsel for the petitioners are that the instant matter relates to the recovery of 143.07 litres of *country made foreign liquor* and the same is stated to have been recovered from a Car (*Innova*), in fact petitioner No. 1 namely, Saurabh Kumar was found in the



capacity of driver in the said vehicle and he was performing his duty on the instruction of the vehicle's owner and he had no knowledge of the alleged loaded liquor and petitioner No. 2 namely, Vikash Kumar was bonafidely riding as a co-passenger in the said vehicle and both the petitioners have fair and clean antecedent and have been languishing in jail since 12.01.2023 and against them, the investigation has been completed.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the petitioners' fair and clean antecedent, their custody period and completion of the investigation against them, in my opinion it is a fit case for bail to the petitioners. Accordingly, let both 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 the Court concerned in connection with Bihta P.S. Case No. 27 of 2023.

(Shailendra Singh, J)

annu/-

U		T	
---	--	---	--

