

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49142 of 2023

Arising Out of PS. Case No.-501 Year-2023 Thana- AGAMKUAN District- Patna

Ganpat Lal Son Of Kalu Ram Resident Of Village - Sarla, P.S - Sedwa, Distt.
- Barmer, State - Rajasthan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 49187 of 2023

Arising Out of PS. Case No.-501 Year-2023 Thana- AGAMKUAN District- Patna

1. Raju Ram Son of Mula Ram Resident of village - Rangavali Swanta, P.S. -
Bakhasar, Distt. - Barmer, State Rajasthan
2. Rama Ram Son of Late Maghaha Ram Resident of village - Kakrala, P.S. -
Bakhasar, Distt. - Barmer, State - Rajasthan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 49142 of 2023)
For the Petitioner/s : Mr.Rama Kant Singh
For the Opposite Party/s : Mr.Sanjay Kumar Pandey
(In CRIMINAL MISCELLANEOUS No. 49187 of 2023)
For the Petitioner/s : Mr.Rama Kant Singh
For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-08-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are languishing in custody in a

case registered for the offences punishable under



Sections 420, 120(B) of the Indian Penal Code and Sections 30(a), 32(2)(3), 36 and 41(i)(ii) of the Bihar Prohibition & Excise Act.

There is recovery of 6589.080 litres of illicit Indian made foreign liquor from a truck and petitioners were arrested.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. The petitioners were not aware about the illicit liquors loaded in the truck in question. The petitioners are helper, Driver and *Khalashi* of the truck in question. The petitioners are languishing in custody since 18.05.2023. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the fact that petitioner Raju Ram and Rama Ram (Cr. Misc. No. 49187/2023) are Driver and *Khalashi* of the truck in question, they are directed



to deposit a sum of Rs. 15,000/-(Rupees Fifteen Thousands) each in the District Legal Services Authority, Patna.

Considering the facts aforesaid and the period under custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna City, Patna in connection with Agamkuan P.S. Case No. 501 of 2023.

(Sunil Kumar Panwar, J)

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