

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55993 of 2023

Arising Out of PS. Case No.-77 Year-2023 Thana- MUSRIGHRARI District- Samastipur

1. Mohan Lal Son Of Late Daulat Ram Kandara Ro Chhoto Sadri, Ps Chhoti Sadri, Dist Pratapgarh, Rajsthan
2. Narayan Lal Meena Son of Shankar Lal Meena R/o vill - Chhoto Sadri, P.S. -Chhoti Sadri, Distt. - Pratapgarh, Rajasthan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey

For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-11-2023 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)/ 32/36/41(i)(ii) of the Bihar Prohibition & Excise Act.

There is recovery of 6165.360 litres of illicit Indian made foreign liquor from a truck. The petitioners are alleged to be the driver and co-driver of the truck in question.



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 have no concern either with the seized truck or the illicit liquor. The petitioners are languishing in custody since 06.06.2023. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioners.

Since petitioner No. 1 is driver of the alleged seized truck, he is directed to deposit a sum of Rs. 20,000/-(Rupees Twenty Thousands) in the District Legal Services Authority, Samastipur.

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-1, Samastipur in connection with Musarigharari P.S. Case No. 77 of 2023.

(Sunil Kumar Panwar, J)

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