

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58239 of 2023

Arising Out of PS. Case No.-167 Year-2023 Thana- BIHIA District- Bhojpur

-
-
1. Teja Ram, S/O Baka Ram R/O Mokhab, P.S- Shiv, Distt.- Barmer, Rajasthan.
 2. Govind Kumar @ Govinda Kumar, S/O Hanuman Ram R/O Rohila Puram, P.S- Dhorimena, Distt.- Barmer, Rajasthan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s	:	Mr.Sumit Shekhar Pandey, Advocate
For the Opposite Party/s	:	Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 01-09-2023 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners have preferred this application for grant of regular bail in connection with Bihiyan P.S. Case No. 167 of 2023 dated 30.06.2023 registered for the offences punishable u/ss 419, 420, 467, 468, 471, 120B read with Section 34 of the Indian Penal Code and u/ss 30(a), 32(1)(2)/36/41(1)(2) of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, the petitioners were apprehended with a truck from which 7195.48 litres of illicit foreign liquor was recovered. It is further alleged that the petitioners are the driver and the co-driver of the said truck.



5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that the petitioners are not the owner of the said truck. Nothing has been recovered from the conscious possession of the petitioners. Learned counsel has further submitted that the petitioner no. 1 is the driver and the petitioner no. 2 is the co-driver of the said truck and they have no concern with the alleged recovery. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 01.07.2023.

6. Learned A.P.P. for the State has opposed the bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhojpur at Ara in connection with Bihiyan P.S. Case No. 167 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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

