

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67790 of 2022

Arising Out of PS. Case No.-281 Year-2022 Thana- BARAUNI District- Begusarai

1. Aman Kumar Paswan @ Aman Paswan, age 22 years, Gender-Male, S/o Niraj Paswan R/o Village- Butti More, Ward no. 5, P.S.- Sadar Ranchi, Distt-Ranchi (Jharkhand).
2. Sundar Hembrom, age 22 years, Gender -Male, S/o Prem Hembrom R/o Village- Butti More, Ward no. 5, P.S.- Sadar Ranchi, Distt-Ranchi(Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Adv.
For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioners and learned Additional Public Prosecutor appearing for the State of Bihar.

The petitioners seek bail in connection with Barauni (Chakia) P.S. Case No. 281 of 2022 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

There is alleged recovery of 115.500 litres (one hundred fifteen litres and five hundred millilitres) of foreign liquor from the vehicle.

Learned counsel for the petitioners submits that as per prosecution case, petitioner No. 1 and 2 are the cleaner and driver of the vehicle in question. They were asked to drive the car to a particular destination. They were unaware of the illicit liquor being laden in the vehicle. They have been in custody from their arrest on 23.06.2022. There is one criminal antecedents. It is submitted that investigation is complete.



Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, allegations, period of custody and the fact that investigation is complete, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for bail of the petitioners is allowed.

Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-I, Begusarai, in connection with Barauni (Chakia) P.S. Case No. 281 of 2022, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.
- (ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

rajkishore/-

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

