

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67380 of 2023

Arising Out of PS. Case No.-692 Year-2023 Thana- BIHTA District- Patna

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1. Ramesh Vishnoi @ Rakesh Vishnoi, S/o- Chandravan Vishnoi Jangalu, Near Ram Mandir
 3. Alankar, S/o- Saguna Ram @ Sasuna Ram Resident Of Villagek- Jangalu, Near Ram Mandir, P.S.- Panchu, District- Bikaner(Rajasthan)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek regular bail in connection with Bihta (Neora) P.S. Case No. 692 of 2023, lodged on 07.07.2023 under Sections 30(a), 32(i)(ii), 36, 41(i)(ii) & 62 of Bihar Prohibition & Excise Act, 2018.

3. As per the prosecution case, the total recovery of 3549.39 litres of illegal English liquor is the subject matter of the present case.

4. Learned counsel for the petitioners submits that petitioner No. 1 is the driver and petitioner No. 2 is the *khalasi* of the truck and from the said truck, illegal foreign liquor has



been recovered. He further submits that the antecedent of the petitioners are clean and they are in custody since 09.07.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that huge quantity of illegal foreign liquor has been recovered within the territory of Bihar where liquor is completely prohibited.

6. In the present facts and circumstances, I am not inclined to grant regular bail to the petitioners.

7. Accordingly, the prayer for regular bail of the petitioners in connection with Bihta (Neora) P.S. Case No. 692 of 2023, pending before the learned Special Excise Judge, Danapur, Patna is hereby rejected,

8. However, the petitioners shall move for regular bail after framing of charge, the Trial Court shall release them on bail imposing its own conditions so that they may not evade their appearance during trial.

9. With this observation, the bail application stands disposed of.

(Dr. Anshuman, J.)

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