

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69059 of 2022

Arising Out of PS. Case No.-209 Year-2022 Thana- BAUNSI District- Banka

1. SHARBAN KUMAR @ SHARVAN KUMAR @ SHRAWAN MANDAL
S/O Bhupendra Mandal R/O Village- Ward No-1, Champanagar, P.S-
Shankarpur, District- Madhepura
2. Sanjay Kumar @ Sanjay Mandal S/O Bhupendra Mandal R/O Village- Ward
No-1, Champanagar, P.S- Shankarpur, District- Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Arvind Kumar, Advocate Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s	:	Mr. Pradeep Narain Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 13-03-2023 Heard learned counsel for the petitioners as well as
learned APP for the State.

In this case, the petitioners are seeking regular bail in connection with Bounsi P.S. Case No. 209 of 2022, registered for the offences punishable under Sections 30(A) of Bihar Prohibition and Excise (Amendment) Act, 2018.

As per allegation, two trucks were apprehended by the police and illicit liquor of 4039 litres were recovered therefrom.

The learned senior counsel Mr. N.K. Agrawal has submitted that the petitioners are merely driver of those vehicles and they were not aware of the consignment loaded on the trucks. He has further submitted that the petitioners are under custody



since 28.08.2022 and they are the persons of clean antecedents.

On the other hand, learned APP has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances as well as period of incarceration, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II, Banka in connection with Bounsi P.S. Case No. 209 of 2022, subject to the following conditions:-

(i) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(ii) If the petitioners are found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioners and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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