

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68245 of 2022

Arising Out of PS. Case No.-110 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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1. DASHRATH SINGH Son of Karam Dayal Singh Resident of Village- Jorar, P.S.- Namkum, District- Ranchi (Jharkhand)
 2. CHHOTU GURUM Son of Late Bir Bahadur Gurum Resident of Village- Kokar Shiv Mandir, P.S.- Sadar, District- Ranchi, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioners and learned APP for the State.

This Court would expect that the petitioners' counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioners seek bail in connection with Excise P.S. Case No. 110 of 2022 registered under Section 30(a) and 56(2)(ii) of Bihar Prohibition and Excise Act.

Petitioners are in custody for alleged recovery of 598.860 litres illicit liquor from a vehicle. Petitioner nos. 1 and 2 are allegedly driver and cleaner of the vehicle in question.

It is submitted by learned counsel for the petitioners that from the FIR, it is obvious that the liquor was concealed in sealed plastic cover. The petitioners, under the impression that they were



transporting goods purchased by individuals online, which was sealed in plastic cover, have become victim of the circumstances and having no antecedent, they are in custody since 02.06.2022. It is further submitted that investigation is complete.

Learned APP has opposed the prayer for bail.

Having regard to the manner of recovery, the submissions advanced by the parties, the period of custody and the fact that investigation is complete, this Court is inclined to allow the petitioners' prayer for bail. Prayer for bail of the petitioners is allowed.

Let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-II, Nawada in Excise P.S. Case No. 110 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)

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