

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68662 of 2022

Arising Out of PS. Case No.-373 Year-2022 Thana- KATEYA District- Gopalganj

1. ROHIT DHANAK Son of Ram Kumar Dhanak @ Ram Kuwar Resident of Para Mohalla Rohtak, P.S- Rohtak, Dist- Rohtak (Haryana) At present Rurki Pana Rashyan, P.S- IMI Rohtak, Dist- Rohatak (Haryana)
2. Sudhir Jat Son of Pradeep Jat @ Kuldeep Resident of Mohalla- Kamla Nagar Rohtak, P.S- Rohtak, Dist- Rohtak (Haryana) at present Mokhara Khas Pana Shayam, P.S- Madinabau, Dist- Rohtak (Haryana)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar
For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-02-2023 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Kateya P.S. Case No. 373 of 2022, registered for the offence punishable under Section 414/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

The allegation is regarding recovery of 518.400 liters of illicit liquor from a car and the petitioners were apprehended from the spot.



The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case, they are having a clean antecedent and they are languishing in custody since 22.8.2022. The learned counsel for the petitioners has referred to paragraph no. 10 of the present petition to submit that the petitioners are neither the owner nor the driver of the seized car.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials available on record as also considering the fact that the petitioners are neither the owner nor the driver of the vehicle in question, apart from the fact that they are having a clean antecedent, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are



directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II cum Special Judge, Excise-I, Gopalganj in connection with Kateya P.S. Case No. 373 of 2022.

(Mohit Kumar Shah, J)

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