

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67870 of 2022

Arising Out of PS. Case No.-551 Year-2022 Thana- WAJIRGANJ District- Gaya

JABBAR KHAN S/o Late Rahim Khan R/v- Bana Bigha, P.S.- Wazirganj,
District- Gaya Petitioner/s

Versus

The State of Bihar Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 68392 of 2022

Arising Out of PS. Case No.-551 Year-2022 Thana- WAJIRGANJ District- Gaya

MANTU KUMAR Son of Mahesh Prasad R/v- Bagh Mandwa, P.S.- Fatehpur,
District- Gaya Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 67870 of 2022)

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Asha Kumari

(In CRIMINAL MISCELLANEOUS No. 68392 of 2022)

For the Petitioner/s : Mr.Sanjay Kumar Sharma

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 21-02-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Section 414 of the IPC of the Indian Penal
Code and Section 30(a) of Bihar Prohibition and Excise
Amendment Act.

As per allegation in the FIR, 100 litres country made
liquor contained in two sacks recovered from a black coloured
Hero Splendor motorcycle bearing Reg. No. BR02P-6870 and
petitioner Mantu Kumar was arrested on spot who disclosed the



name of the petitioner Jabbar Khan and also said that he is going to deliver the said assignment to the Jabbar Khan.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They are innocent. They have committed no offence. There is no independent witness. The alleged vehicle belongs to Dharmnath Yadav. Petitioners are languishing in judicial custody since 15.10.2022.

The application for bail is opposed by learned APP for the State and submitted that the vehicle in question, happens to be stolen which appears from para 39 of the case diary. .

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1, Gaya in connection with Wazirganj P.S. Case No. 551 of 2022.

(Sunil Kumar Panwar, J)

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