

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71270 of 2023

Arising Out of PS. Case No.-240 Year-2023 Thana- SONBERSA District- Sitamarhi

1. Ramji Kumar, Son of Mahesh Sah
2. Sujit Kumar, Son of Bajrangi Ray
Both are Residents of Village - Mohandih, Ward No.15, P.S. -Dumra,
District - Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners seek bail in connection with Sonbarsa P.S. Case No. 240 of 2023, registered for the alleged offences under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, police received secret information about transportation of illicit liquor in a white coloured pick-up vehicle. The said vehicle stopped 50 meters prior to checking point and two persons started running from it, who were apprehended after chase and from a secret compartment built in the said vehicle, recovery of 45 liters



Nepali country made liquor was made. The petitioners are the apprehended persons.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The petitioners have no concern either with the seized vehicle or the illicit liquor. Nothing has been recovered from the conscious possession of the petitioners. The petitioners are in custody since 31.07.2023. The charge sheet has been submitted. The petitioner no.2 is having clean antecedent whereas, the petitioner no.1 is having one criminal antecedent.

5. The learned APP opposes the submissions made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the period of custody of the petitioners along with submission of charge sheet, they are directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-1, Sitamarhi, in connection with Sonbarsa P.S. Case No. 240 of 2023, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :



- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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