

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74709 of 2023

Arising Out of PS. Case No.-395 Year-2023 Thana- CHHATAUNI District- East Champaran

1. Vabhuta Ram, Son of Kesa Ram, RO Lakhsar Saudyar, Ps Chauhatan, Dist Barmer, Rajsthan
2. Joga Ram, Son of Diya Ram, R/o Gothrao Thani Saudyar, P.S. - Chauhatan, distt - Barmer, Rajasthan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-11-2023 None appears on behalf of the petitioner. However, learned A.P.P. for the State.

2. It appears from the pleading that the present petition has been filed by the petitioners seeking regular bail in connection with Chhatauni P.S. Case No.395/2023, lodged on 18.08.2023 under Sections 420/467/468/471/120B of the Indian Penal Code and Sections 30(a)/32(ii)(iii)/36/41(i)(ii) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, the total recovery of 6546.96 litres of Foreign liquor from a Tata Truck is the subject matter of the present case. Petitioner No.1 was the driver and petitioner No.2 was the co-driver of the truck from which



recovery has been made.

4. It appears from the pleading that the petitioners are innocent and have committed no offence. The petitioners have falsely been implicated by the police. The petitioners have no concern with the alleged liquor and they are not the owner of the vehicle. The petitioners are in custody since 19.08.2023 having no criminal antecedent.

5. Learned counsel for the State opposes the prayer for bail and submits that a huge quantity of illicit liquor has been recovered from a truck and the petitioners being the driver and co-driver of the truck were apprehended on the spot.

6. In the present facts and circumstances, I am not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner in connection with Chhatauni P.S. Case No.395/2023 pending before the learned Exclusive Special Excise Court No.1, East Champaran, Motihari, Bihar is hereby rejected.

9. However, the petitioners may renew their prayer for bail three months after the framing of the charge.

(Dr. Anshuman, J)

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