

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73233 of 2022

Arising Out of PS. Case No.-662 Year-2022 Thana- ARARIA District- Araria

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Rajgir Kumar S/O Laxmi Mahto R/O Village- Ghughraha Chauk, Ward No-10, P.S- Upri, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 74151 of 2022

Arising Out of PS. Case No.-662 Year-2022 Thana- ARARIA District- Araria

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Manmohan Mishra S/O Late Vijay Mishra Resident Of Village- Sipahpur Ward No- 3, P.S.- Ahiyapur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 73233 of 2022)

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Arun Kumar

(In CRIMINAL MISCELLANEOUS No. 74151 of 2022)

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-01-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have prayed for bail in a case

registered for the offence punishable under sections

30(a) of the Bihar Prohibition and Excise Act.



Prosecution case relates to recovery of 150 litres of Indian made foreign liquor from a car bearing registration No. UP-14AZ-0923, which was being driven by the petitioner (in Cr. Misc No. 73233 of 2022), namely, Rajgir Kumar and petitioner (in Cr. Misc. No. 74151 of 2022), namely, Manmohan Mishra was boarded in the said vehicle.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and has committed no offence. They have no concern with the alleged recovery. It is also submitted that petitioner (in Cr. Misc No. 73233 of 2022), namely, Rajgir Kumar is not regular driver of the vehicle in question and on the alleged date of occurrence he was informed to transport the said vehicle from Siliguri to Bihar and in the meantime, police apprehended the petitioners and finally implicated them in the present case. It is further submitted that petitioners are totally unknown from the alleged liquor loaded in the vehicle in



question. They are languishing in judicial custody since 05.08.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

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 Judge Excise 1st, Araria in connection with Araria (Bairgachhi) P.S. Case No. 662 of 2022.

(Sunil Kumar Panwar, J)

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