

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75416 of 2022

Arising Out of PS. Case No.-247 Year-2022 Thana- AMBA District- Aurangabad

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1. RAVINDRA SINGH Son of Tejmal Singh @ Tejamal Singh R/v- Lamna Bhatian, P.S.- Koulait, District- Bikaner, Rajasthan
 2. RAJ KUMAR Son of Prema Ram Bishnoi R/o Ranjitpura, P.S.- Ranjitpura, District- Bikaner, Rajasthan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhukar Anand, Adv.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 25-04-2023 1. Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.
2. Heard learned counsel for the petitioners and the learned APP for the State.
3. Petitioners seek regular bail in connection with Amba P.S. Case No. 247 of 2022 dated 12.10.2022 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.
4. The main submissions advanced by petitioners' counsel are that the instant matter relates to the recovery of total



698.22 litres of English liquor from the alleged two vehicles but neither of these vehicles belongs to any of the petitioners and there is no independent witness of search and seizure of the alleged liquor and the petitioners have been implicated in this case by the police party with an ulterior motive. Further submissions are that the petitioners have fair and clean antecedent and have been languishing in jail since 13.10.2022 and the petitioners have no concern with the alleged liquor, in fact the petitioners are businessmen and on the alleged day of occurrence, the petitioners had come to Aurangabad in search of prospective buyers for *Rajasthani quilt* but were wrongly apprehended by the police party and they became victim of the circumstance.

5. Learned APP appearing for the State has opposed the bail prayer.

6. In view of the above submissions made by learned counsel for the petitioners as well as petitioners' fair and clean antecedent and also the fact that there is no independent witness of the alleged recovery, in my opinion it is a fit case for bail to the petitioners. Accordingly, let the petitioners named-above be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the



satisfaction of the Court concerned in connection with Amba
P.S. Case No. 247 of 2022, on the following conditions:-

(i) The petitioners will be released after framing of
charge.

(ii) Both the bailors of each petitioner shall be the
local residents within the jurisdiction of the Trial Court, having
sufficient immovable property.

(Shailendra Singh, J)

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