

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1206 of 2023

Arising Out of PS. Case No.-101 Year-2022 Thana- KALER District- Jehanabad

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1. Gautam Paswan ,S/o Bharat Paswan
 2. Rupesh Hajara, S/o Deena Nath Hajara
Both are Resident Of Village- Trilok Chak, P.S.- Dighwara, District- Chhapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath, Advocate
For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioners and the learned APP for the State.

2. Petitioners seek regular bail in connection with Kaler P.S. Case No. 101 of 2022 dated 18.11.2022 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. The main submissions advanced by the learned counsel for the petitioners are that petitioner no.1 is driver and petitioner no.2 is co-driver of the alleged tractor from which 720.36 litres of Indian made foreign liquor was recovered, in fact the petitioners are paid driver and co-driver who were working under the directions of the owner at the relevant time



and the owner of the vehicle has also been made accused in this case who is wholly liable for the alleged recovered wine and the petitioners have been languishing in jail since 19.11.2022 and they have fair and clean antecedent.

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

5. Considering the petitioners' fair and clean antecedent and their custody period and their profession as well as above submissions, in the opinion of this court, the petitioners deserve to a lenient approach of this court. Accordingly, **let both the petitioners be released on bail after framing of charge, if the same has not been framed**, on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Kaler P.S. Case No. 101 of 2022.

(Shailendra Singh, J)

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