

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16121 of 2024

Arising Out of PS. Case No.-1099 Year-2023 Thana- Excise P.S. District- Siwan

1. Ravindra Singh Son of Late Man Singh R/o Village- Mokhra, P.S.- Maiham, District- Rohtak
2. Ravidra Sagwan Son of Jaykishan Sagwan Resident of Village- Mokhra, P.S.- Maiham, Dist.-Rohtak

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 18061 of 2024

Arising Out of PS. Case No.-1099 Year-2023 Thana- Excise P.S. District- Siwan

1. Rakesh Kumar Son Of Late Rajendra Gautam R/O-Muradpur Tekna, P.S.- Bahuakbarpur, Distt.-Rohtak
2. Vikash Kmar Son Of Ram Niwas Kumar R/O-Muradpur Tekna, P.S.- Bahuakbarpur, Distt.-Rohtak

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 16121 of 2024)

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

For the Opposite Party/s : Mr .Murli Dhar, APP

(In CRIMINAL MISCELLANEOUS No. 18061 of 2024)

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

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 06-03-2024 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners seek bail in Siwan Excise P.S. Case



No. 1099 of 2023, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 1608 liters liquor was recovered from one bus and petitioners were apprehended on spot.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material have been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is further submitted that petitioner nos. 1 and 2 in Cr. Misc. No. 18061 of 2024 are driver and co-driver of the bus and they have no knowledge regarding the goods loaded in the vehicle, whereas, petitioner nos. 1 and 2 in Cr. Misc No. 16121 of 2024 are passengers. The petitioners are in custody since 28.12.2023 and have got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.



7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Siwan Excise P.S. Case No. 1099 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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