

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31844 of 2024**

Arising Out of PS. Case No.-859 Year-2023 Thana- SARAIYA District- Muzaffarpur

1. Tejvindra Singh @ Tejvindar Singh Jagjit Singh Village- Doomchheri PS- Morinda Distt- Rupnagar
2. Jasprit Singh son of Late Kamaljit Singh Village- Chamkor Sahib Ps- Chamkor Dist- Rupnagar Punjab

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raghwendra Pratap Singh, Advocate

For the Opposite Party/s : Md. Iftekhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**

ORAL ORDER

2      25-04-2024                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners seek bail in Saraiya P.S. Case No. 859 of 2023, instituted for the offences punishable under Sections 272, 273, 120(B), 34 of the Indian Penal Code, Sections 30(a), 32(2), 32(3), 36, 41(1) and 42(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 3564 liters liquor was recovered from truck and both the petitioners were apprehended on spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the



present 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 the petitioner no. 1 is owner-cum-driver of the seized vehicle, petitioner no. 2 is co-driver of that vehicle and both of them have no knowledge regarding the goods loaded in the vehicle. The petitioners are in custody since 14.12.2023 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 Saraiya P.S. Case No. 859 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 petitioners 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)**

Rajorshi/-

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