

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40842 of 2024

Arising Out of PS. Case No.-201 Year-2024 Thana- Excise P.S. District- Siwan

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1. Deepak Kumar @ Deepak Ray S/o Vidya Ray R/O Vill-Turha Toli, P.S.- Shahpur, Dist-Patna
 2. Ranjeet Kumar S/o Gangasagar Ray R/O Vill-Kala Diyara, P. S.-Shalimpur, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-06-2024 Heard learned counsel appearing on behalf of

the petitioners and learned APP appearing on behalf of

the State.

2. The petitioners seeks bail in connection with

Excise Sadar Siwan P. S. Case No. 201 of 2024

registered for the offences under Section 30(a) of the

Bihar Prohibition & Excise Act.

3. The petitioners are named in the F.I.R and in

custody since 09.04.2024.

4. The allegation against the petitioners is to be

engage in illegal trading/manufacturing of illicit liquor,



where, there is a recovery of 116.460 litres of IMFL/country made liquor.

5. Learned counsel appearing on behalf of the petitioners submitted that implication of petitioners is only for the reason that they are driver and helper of the van carrying consignment of the alleged illicit liquor. It is further submitted that nothing surfaced during the course of investigation, which may suggest that petitioners were under knowledge regarding illegal consignment of illicit liquor and as such, it can be said safely that the recovery of the said liquor was not made from conscious physical possession of petitioners. While concluding argument it is submitted that both petitioners are men of clean antecedent and moreover investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.



7. In view of the aforesaid facts and circumstances as mentioned above and by taking note of the fact as recovery of illicit liquor not appears to be made from the conscious physical possession of the petitioners, who are men of clean antecedent, coupled with the fact as both petitioners are in custody since 09.04.2024, where charge-sheet has already submitted, accordingly both petitioners are directed to be released on bail in connection with Excise Sadar Siwan P. S. Case No. 201 of 2024 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise II, Patna/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-
Raj Ranjan/-

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