

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43730 of 2024

Arising Out of PS. Case No.-68 Year-2024 Thana- DOBHI District- Gaya

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1. Rajeev Kumar Son of Umesh Prasad R/O Vill.- Piparpaiti, P.S.- Kadirganj, Dist.- Patna
 2. Santosh Kumar @ Santosh Prasad Son of Suresh Prasad R/O Vill.- Sahopur, P.S.- Kadirganj, Dist.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 25-06-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Dobhi P.S. case No. 68 of 2024 instituted for the offences under Sections 419, 420, 120(b) of the Indian Penal Code and Sections 30(a), 32(2) and 41(1)(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 914 liters liquor was recovered from the truck and the petitioners were arrested 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 has 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 No. 1 is said to be driver and petitioner No. 2 is said to be khalasi of the truck in question. They have no knowledge regarding nature of goods kept in the vehicle. The petitioners are in custody since 12.05.2024 and have got one criminal antecedent each. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. 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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dobhi P.S. case No. 68 of 2024 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)

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