

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43618 of 2024

Arising Out of PS. Case No.-432 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

1. Ajit Kumar @ Penter Son of Vishnu Rai @ Bishan Rai @ Bhishan Ray @ Bishnu Rai R/O Vill.- Dighi Lal Pokhar, P.S.- Hajipur Sadar, District - Vaishali.
2. Ved Prakash @ Sahil Kumar Son of Vinay Rai R/O Vill.- Lal Pokhar Dighi @ Laal Pokhar Dighi, P.S.- Hajipur Sadar, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Adv
For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Hajipur Sadar P.S. Case No. 432 of 2021 dated 29.04.2021 registered for the offences punishable u/s 414, 420 of the I.P.C. and section 30(a), 36, 41(i) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 1720.440 litres of illicit foreign liquor was recovered from the *Tata 407 vehicle*.

4. Learned counsel for the petitioners has submitted



that the petitioners are innocent and have falsely been implicated in this case. The petitioners are not the owner of the said vehicle and the same was not being driven by them at the time of the alleged recovery. The name of the petitioners was disclosed by the *local chaukidar*. Nothing has been recovered from the conscious possession of the petitioners. The petitioner no. 1 has eight criminal antecedents and the petitioner no. 2 has seven criminal antecedents as stated in para 3 of the bail petition. The petitioners are in custody since 23.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioners and the period of custody, the petitioners above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Vaishali, in connection with Hajipur Sadar P.S. Case No. 432 of 2021, with a condition/s:-

(i). The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioners is liable to cancelled.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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