

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66088 of 2023

Arising Out of PS. Case No.-216 Year-2023 Thana- SARAI District- Vaishali

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1. NAVIN KUMAR JHA S/O SATYA NARAYAN JHA R/O VILLAGE-RATU ROAD PANDRA, P.S- SUKHDEVNAGAR.
 2. AJEET KUMAR DAS S/O RAJENDRA DAS R/O VILLAGE- NAM KUM TOLI, P.S- NAM KUM.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have filed the instant application for grant of regular bail registered u/s 420, 467, 468, 471, 120B of the Indian Penal Code and Sections 30(a), 32(2), 32(3), 36, 41(1), 41(2) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 264 liter Indian made foreign liquor from two cars and the petitioners were also apprehended on the spot.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case merely on suspicion. It is further submitted that nothing incriminating has been



recovered from the conscious possession of the petitioners and they have no concern with the seized illicit liquor. It is also submitted that the petitioner is not the owner of the said vehicles. It is further submitted that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 26.08.2023.

The application for bail is opposed by learned APP for the State and submitted that the petitioner has been arrested on spot with the said vehicle by the police where the recovery has been made.

The petitioners are directed to deposit a sum of Rs. 10,000/- (Rs. Ten Thousand) each in the District Legal Services Authority of the concerned District.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Sarai P.S. Case No. 216 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Prohibition Court-II-cum Additional District and Sessions



Judge, Vaishali at Hajipur.

The bail bonds of the petitioners shall be accepted by the learned lower Court below on showing the receipt of deposit of Rs. 10,000/- (Rs. Ten Thousand) by each petitioners in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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