

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85154 of 2023

Arising Out of PS. Case No.-32 Year-2022 Thana- MINAPUR District- Muzaffarpur

1. Raju Singh Son Of Jaswant Singh R/O- Salohleh Nawan Shahar Saloh, Shahid Bhagat Singh Nagar, Mohi Khurd, P.S.- Rajpura, District- Patiayala, Punjab
2. Yashwant Singh @ Jaswant Singh Son Of Prem Singh R/O- Mohi Khurd, P.S.- Rajpura, District- Patiayala, Punjab

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have filed the instant application for grant of regular bail in connection with Minapur P.S. Case No. 32 of 2022 registered under sections 414, 467, 468, 471, 420, 120(B) of the IPC and Sections 30(a)/36/41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 4401 liters of country made liquor from a truck bearing Reg. No. PB11CB-8439 and the petitioners were arrested by the police on spot. Petitioner No.1 is said to be driver of the said vehicle and petitioner No.2 is said to be co-driver of the said vehicle.



Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. 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. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 29.01.2022.

The application for bail is opposed by learned APP for the State and submitted that the petitioners have 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 by them 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 Minapur P.S. Case No. 32 of 2022 on each of them 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 Court No.1, Muzaffarpur, Bihar.

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) each by the petitioners in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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