

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85662 of 2023

Arising Out of PS. Case No.-238 Year-2023 Thana- MANIGACHI District- Darbhanga

1. Paramjeet Singh S/o Mukhtar Singh R/o village-Harikepatan, P.S-Harikepatan, District-Tarantaran Punjab
2. Kawarpal S/o Ray Singh R/o village-Kheri, Gujra, P.S-Derawasi, District-Mohali, Punjab

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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 prayed for bail in connection with Manigachhi P.S. Case No. 238 of 2023 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of toal 2950.2 litres foreign liquor from a truck bearing Reg. No. PBR65BA-0275 and both the petitioners were arrested on spot.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and



have committed no offence. Petitioners are the driver and cleaner of the said vehicle and they have been falsely implicated in this case. They have got no criminal antecedent. They have no concern with the alleged recovery nor vehicle in question belongs to them. Nothing incriminating article has been recovered from their conscious possession. Both the seizure list witness are police personnel which is complete violation of Section 100 of Cr.P.C. Petitioners are languishing in judicial custody since 05.11.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Both the petitioners are directed to deposit Rs. **5,000/- (Rs. Five Thousand)** each in the concerned DLSA.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge-II, Excise Act, Darbhanga in connection with Manigachhi P.S. Case No.238 of 2023.



The bail bonds of the petitioners shall be accepted by the learned court below on showing receipt of deposit of Rs. **5,000/- (Five Thousand only)** each by the petitioners in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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