

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1604 of 2024

Arising Out of PS. Case No.-339 Year-2023 Thana- BARHARIA District- Siwan

1. Mohammad Shamim @ Md. Shamim @ Mohammad Shameen Son Of Mohammad Yusuf @ Yusuf Resident Of Village- Ketu (KERTU), P.S.- Jhinhana, District- Shamli (U.P.)
2. Mohammad Arif @ Md. Arif @ Arif Son Of Suleman Resident Of Village- Ketu (kertu), P.S.- Jhinhana, District- Shamli (U.P.)

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam
For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are languishing in custody in a case registered for the offences punishable under Sections 30(a), 38(i), 41(i) of the Bihar Prohibition & Excise Act.

There is recovery of 481.32 litres of illicit Indian made foreign liquor from a truck. The petitioners were apprehended from the spot.



It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. The petitioners are driver and co-driver of the truck and they were not aware about the illicit liquor being carried out in the truck. The petitioners have no concern with the illicit liquor. The petitioners are languishing in custody since 04.09.2023. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioners.

Considering the facts aforesaid and the period under custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Exclusive



Special Excise Court No. 1, Siwan in connection with
Barharia P.S. Case No. 339 of 2023.

(Sunil Kumar Panwar, J)

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