

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74169 of 2024

Arising Out of PS. Case No.-235 Year-2024 Thana- AWTARNAGAR District- Saran

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1. Sachin Kumar S/O Rampravesh Rai @ Rampravesh Ray R/O Village- Pirari, P.S- Derni, District- Saran.
 2. Pulis Kumar S/O Anil Rai R/O Village- Pirari, P.S- Derni, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate
For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 18-01-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners seek bail in connection with Awtar Nagar P.S. Case No. 235 of 2024 registered on 06.09.2024 for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per prosecution case, petitioners were apprehended while transporting 340 litres of country made *mahua* liquor.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Nothing incriminating has been recovered from the



person or possession of the petitioners. Petitioners have no concern with the seized liquor or the Bolero vehicle from which recovery has been made. Petitioners are neither the owner nor the driver of the seized vehicle. Petitioners are in custody since 07.09.2024 and charge-sheet has been submitted.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioners and submission of charge-sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Exclusive Special Excise Court, Saran at Chapra/concerned court in connection with Awtarnagar P.S. Case No. 235 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below.



(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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