

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89490 of 2024

Arising Out of PS. Case No.-47 Year-2024 Thana- EXCISE MANJHAUL District- Begusarai

1.

Sukhdeo Singh @ Sukhdev Singh Son of Karnail Singh R/O - Churchak (Naushehara Maja Singh), P.S- Kalerkula, Distt.- Gurdaspur, (Punjab.)
2.

Nishant Rohilla Son of Devendra Rohilla Resident of 26, B-Block Gali No. 9, West Gopalnagar, P.S.- Hardas Baba, Distt.- Najafgarh, South West Delhi (Delhi)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 16-01-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Manjhaul Excise PS Case No. 47 of 2024 instituted for the offences under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 2099.880 litres of foreign liquor was recovered from Tata container.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered



from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is submitted that petitioner no. 1 is the driver and petitioner no. 2 is the co-driver of the vehicle and they have no knowledge regarding the nature of goods booked by the transporter. The petitioners are in custody since 15.07.2024. Petitioner no. 1 has no antecedent and petitioner no. 2 has one antecedent. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with Manjhaul Excise PS Case No. 47 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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