

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14586 of 2018

Arising Out of PS.Case No. -137 Year- 2017 Thana -NADI P.S. District- PATNA

- =====
1. Randhir Rai @ Randhir Yadav Son of Ram Babu Rai
 2. Ram Babu Rai Son of late Ram Govind Rai Both Residents of Village- Fatehjampur, P.S. Nadi, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Naresh Ray

For the Opposite Party/s : Mr. Smt. Gulnar Begam

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-03-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are languishing in judicial custody since 27.12.2017 in connection with Nadi P.S. Case No. 137 of 2017 arising out of Special Excise Case No. 9599 of 2017 for offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police personnel, is that on secret information that huge quantity of illicit liquor is being stored in the house of the petitioner no. 1 and also in near about houses, the police conducted a raid and from the house of the petitioners 62 liters of country made liquor was



recovered and the petitioners were apprehended. From the houses of other accused persons also illicit country made liquor were recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal antecedent and nothing has been recovered from their conscious possession, have been falsely implicated due to highhandedness of the police and on suspicion. He submits that they are ready to cooperate in the investigation, provide all information and also undertake not to tamper with the evidence or prosecution witnesses during course of investigation.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged 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 Special Judge, Excise Act, Patna in connection with Nadi P.S. Case No. 137 of 2017 arising out of Special Excise Case No. 9599 of 2017, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioners having



sufficient immovable property, who will file an affidavit stating his relationship with the petitioners.

(2) If the petitioners indulge in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of their bail bonds.

(Nilu Agrawal, J)

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