

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23132 of 2018

Arising Out of PS.Case No. -37 Year- 2018 Thana -HASANPUR District- SAMASTIPUR

- =====
1. Jay Jay Ram Rai,
 2. Sita Ram Rai, Both sons of Late Gango Rai,
 3. Sonu Kumar @ Sonu Kumar Rai, Son of Sri Jay Jay Ram Rai, All are resident of Village- Deodha, P.S.- Hasanpur, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Imteyaz Ahmad, Advocate.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP.

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 30-04-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in a case registered for the offence punishable under Sections 272 and 273/34 of the Indian Penal Code and Sections 30(a), 38(1)(2) and 41 of the Bihar Prohibition and Excise Act, 2016.

455.625 litres of foreign liquor is said to have been recovered from the brinjal field of the petitioner no. 1 Jay Jay Ram Rai and the petitioners were apprehended in course of escaping from the place of occurrence.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the



conscious physical possession of the petitioners. They have no concern with the seized liquor. They have been falsely implicated by his patidar Ram Nath Rai and Ram Pukar Rai by planting aforesaid liquor in his field who wanted to purchase the aforesaid plot, but the petitioner succeeded to purchase the same. They have also filed several complaint case and police case against the petitioners due to animosity. The said field is open and accessible to anyone. The petitioner has been languishing in custody since 13.03.2018.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 3rd Addl. Sessions Judge cum Special Judge, Excise Act, Samastipur in connection with Hasanpur P.S. Case No. 37 of 2018.

(Prakash Chandra Jaiswal, J)

Mishra/-

U		T	
---	--	---	--

