

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54092 of 2018

Arising Out of PS.Case No. -786 Year- 2018 Thana -BIHTA District- PATNA

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1. Heeralal Rai @ Heera Rai, Son of Shivshankar Rai.
 2. Teju Rai @ Teju Kumar, Son of Late Dhanu Rai
- Both are residents of village – Dumariyan, P.S.-Bihta, District – Patna.
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 31-08-2018 Heard learned counsel for the petitioners and
learned APP for the State.

Petitioners seek bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

70 litres of country made liquor is said to have been
recovered from the orchard being brewed there by the petitioners
and other accused who managed to escape seeing the police party.

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 either with the seized liquor or place of recovery or any
activity of brewing liquor. Place of recovery is open place. They



have been falsely implicated in the case at the instance of their enemies. They were not apprehended on the spot. Identity and genuineness of the source of information has not been mentioned in the written report. They have no criminal antecedent. They have been languishing in custody since 16.07.2018.

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 Special Judge, Excise, Patna in connection with Special Case No. 6518 of 2018 arising out of Bihta P.S. Case No. 786 of 2018.

(Prakash Chandra Jaiswal, J)

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