

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69350 of 2019**

Arising Out of PS. Case No.-340 Year-2019 Thana- GORAUL District- Vaishali

1. Ram Naresh Rai, Male, aged about 35 years, Son of Ram Singar Rai, Resident of Village - Phulwariya, P.S.- Mahua, Distt - Vaishali.
2. Mithun Kumar, Male, aged about 32 years, Son of Laldeshwar Rai, Resident of Village - Hakimpur, P.S.- Mahua, Distt - Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioners : Mr.Nityanand, Advocate.  
For the Opposite Party : Mr.Khurshid Anwar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      13-11-2019                      Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek bail in a case for the offence registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution story, in brief, is that total 186.630 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioners that the petitioners are languishing in custody since 12.09.2019. The petitioners have got no criminal antecedent. The petitioners have falsely been implicated in the present case. Charge sheet/prosecution report has been submitted in the



present case. There is no allegation of tampering with the witnesses alleged against the petitioners. It is alleged that total 186.630 liters wine is recovered from the Bolero vehicle in question. The petitioner is alleged to be the driver of the Bolero vehicle. He had no knowledge regarding the nature of goods kept in the said vehicle. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioners above named, 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 the learned 2<sup>nd</sup> Additional Sessions Judge-cum-Excise Court, Vaishali at Hajipur, in connection with Goraul (Katahara O.P.) P.S. Case No. 340/2019, arising out of CNR No. BRVA010064682019.

**(Sudhir Singh, J)**

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