

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30417 of 2020**

Arising Out of PS. Case No.-99 Year-2020 Thana- GAURICHAK District- Patna

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1. VAKIL RAM @ UKIL RAM, S/o Karu Ram R/o- Usfa, P.S.- Gaurichak, District- Patna.
  2. Leelu Devi ,W/o Vakil Ram R/o- Usfa, P.S.- Gaurichak, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Prashant Kumar  
Tanuja Kumari  
For the Opposite Party/s : Mr.APP

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

2      18-12-2020                      Heard the learned counsel for the parties.

The petitioners seek bail in anticipation of their arrest in connection with Gaurichak P. S. Case No. 99 of 2020 dated 11.04.2020, instituted for the offence under Section 30 (a) of Bihar Prohibition and Excise Act, 2018.

It appears from the prosecution report that on secret information, the house belonging to the petitioners was raided from where 10 litres of Mahua liquor is said to have been recovered.

The learned counsel for the petitioners has



submitted that from a bare reading of the F.I.R., it would appear that the recovery is from a house which though is claimed to be that of the petitioners but it is not inhabited by them. At the time of recovery, admittedly no person of the family of the petitioners were present and in fact even the villagers did not deem it appropriate to sign the seizure list. It is precisely for this reason that the counsel for the petitioners has submitted that the recovery is from an abandoned house which was accessible to anybody in the village.

Regard being had to the afore-stated facts, the petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum 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 Gaurichak P. S. Case



No. 99 of 2020, subject to the conditions as laid down  
under Section 438 (2) Cr.P.C.

The application stands allowed.

**(Ashutosh Kumar, J)**

skm/-

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