

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18955 of 2021

Arising Out of PS. Case No.-399 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

1. AJAY RAI, SON OF KRISHNANDAN RAI R/O VILLAGE-BHAWANIPUR, P.S.- RUNNISAIDPUR, DISTRICT-SITAMARHI.
2. ANKIT RAI @ AMIT RAI SON OF AJAY RAI R/O VILLAGE-BHAWANIPUR, P.S.- RUNNISAIDPUR, DISTRICT-SITAMARHI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 31-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 30(a), 38(i) (ii) and 41 of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, 501 litres of liquor was recovered from the truck and accused Kumar Gaurav was taken into custody. The said Kumar Gaurav disclosed the name of Murari Rai as a driver of the truck and it was stated that it was on the orders of these two petitioners that the illicit liquor was being transported.

It is submitted by learned counsel for the petitioners



that the petitioners have been falsely implicated in the case. There is no incriminating material against them except the confessional statement of the co-accused made before the police. Their names transpired in the confessional statement of Kumar Gaurav who has been enlarged on bail vide order passed in Cr. Misc. no.14337 of 2021. The petitioners are in custody since 1.11.2020 and 2.12.2020 respectively and have no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case including the petitioners not having any criminal antecedent, the petitioners are directed to be enlarged on bail in connection with Runnisaidpur P.S. Case no. 399 of 2020 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge – cum – Special Judge, Excise, Sitamarhi.

(Partha Sarthy, J)

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