

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31970 of 2021

Arising Out of PS. Case No.-14 Year-2021 Thana- DHANAHA District- West Champaran

1. BHIKHARI YADAV Son of Sri Prahlad Yadav Resident of Village-Khairatwa, P.S.- Bagaha, District- West Champaran.
2. Bipin Sah @ Bipin Khatic Son of Sri Anirudh Sah Resident of Village-Madhubani, P.S.- Dhanaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-12-2021 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and Ms Anita Kumari Singh, the learned APP for the State.

The petitioners seek regular bail in connection with Dhanaha PS case no. 14 of 2021 instituted for the offences punishable under Sections 120B of Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 302.400 liters of illicit liquor from a boat parked near the river bank.

The learned counsel for the petitioners has submitted



that the petitioners are innocent, have been falsely implicated in the present case and are having clean antecedent. Petitioner no. 1 is stated to be languishing in custody since 17.01.2021 and the petitioner no. 2 is stated to be languishing in custody since 22.01.2021. The learned counsel for the petitioners has further submitted that the petitioners have not been arrested from the spot, hence they do not have any complicity in the matter.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the period of incarceration of the petitioners herein, I deem it fit and proper to admit the petitioners to the privilege of bail. Accordingly, the abovenamed petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned court of Special Judge, Excise, West Champaran, Bettiah in connection with Dhanaha PS case no. 14 of 2021.

(Mohit Kumar Shah, J)

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