

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35390 of 2021

Arising Out of PS. Case No.-66 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

1. SURAJ RAI S/o Late Bindeshwar Rai R/o village- Ismailpur, P.S.- Hajipur Sadar, District- Vaishali
2. Shankar Ray S/o Pulish Ray R/o village- Ismailpur, P.S.- Hajipur Sadar, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-12-2021 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Hajipur Sadar P.S. Case No. 66/2021, registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 150 liters of illicit country made liquor from the river bank.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they



have been falsely implicated in the present case, they are having clean antecedent and they are languishing in custody since 7.2.2021. The learned counsel for the petitioners has further submitted that a total number of 17 people have been made accused in the present case and the illicit liquor has neither been recovered from the conscious possession of the petitioners nor from their house.

Per contra, the learned APP 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 petitioners and taking into account the materials as available on record as also considering the fact that the illicit liquor has neither been recovered from the conscious possession of the petitioners nor from their house, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are



directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II cum Excise Court/Special Judge, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 66/2021.

(Mohit Kumar Shah, J)

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