

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46437 of 2021

Arising Out of PS. Case No.-153 Year-2021 Thana- BATHNAHA District- Sitamarhi

1. Keval Rai Son of Dilchand Ray Resident of Village - Chandpura, P.S. - Bathnaha, District - Sitamarhi.
2. Lal Babu Rai Son of - Dilchand Ray Resident of Village - Chandpura, P.S. - Bathnaha, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-12-2021 The present petition 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 learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with Bathnaha P.S. Case No. 153 of 2021 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that the petitioner no.1 is in custody since 17.06.2021 and petitioner no.2 is in custody since 27.06.2021, they are persons with clean antecedent and charge-sheet has been submitted in the case.



Learned counsel for the petitioners submits that allegation is of recovery of 86.400 liters of liquor from an Alto car which was parked outside the house of the petitioners.

Learned counsel for the petitioners submits that based on suspicion the petitioners were arrested as the car was parked outside their house and the said car does not belong to the petitioners.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioners.

Considering the fact that the petitioners are in custody since 17.06.2021 and 27.06.2021 respectively, charge-sheet has been submitted in the case and the petitioner are persons with clean antecedent, let the petitioners above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge, Excise, Sitamarhi in connection with Bathnaha P.S. Case No. 153 of 2021 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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