

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48564 of 2021

Arising Out of PS. Case No.-171 Year-2021 Thana- SARAI District- Vaishali

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1. SAILESH KUMAR Son of Bamshankar Rai Resident of Village - Arara, P.S.- Hajipur Sadar, District - Vaishali
 2. Ravi Kumar Son of Rambahadur Rai @ Ram Bahadur Ray Resident of Village - Arara, P.S.- Hajipur Sadar, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-11-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under Section 30 (a) of the Bihar Prohibition & Excise Act.

As per the prosecution case, 50 liters of country made liquor has been recovered from a tempo and these petitioners, who were travelling in the tempo, have been arrested on the spot.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. No incriminating article has been recovered from the



conscious possession of the petitioners and they are no way concerned with the alleged recovery. Petitioner No.1 is driver of the tempo and he was not aware of the nature of consignment and petitioner No.2 is simply a co-passenger. Petitioners claim clean antecedent and are in custody since 30.06.2021 and investigation in this case is complete .

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioners, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II-cum- Special Judge, Excise Act, Vaishali at Hajipur in connection with Sarai PS case No.171/2021 .

(Prabhat Kumar Singh, J)

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