

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36973 of 2020

Arising Out of PS. Case No.-722 Year-2020 Thana- NAWADA District- Nawada

1. MANISH KUMAR Son of Late Satyendra Chauhan Residen of Village-Ghanghauri, P.S.- Town (Nawada), Distt- Nawada.
2. Ranjan Kumar S/o Late Satyendra Chauhan Resident of Village-Ghanghauri, P.S.- Town (Nawada), District- Nawada.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajeev Nayan

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 03-02-2021 Heard learned counsel for the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of Town (Nawada) P.S. Case No. 722 of 2020, registered for the offence punishable under Sections 30(a) and 41 of Bihar Prohibition & Excise Act, 2016.

It is the case of the prosecution that from the house of these petitioners, police recovered 92 liters of country made liquor. The petitioners were apprehended from the place of occurrence with the allegation that they were in the trade of sale and purchase of illicit liquor.

Learned counsel appearing on behalf of the petitioners has submitted that the place from where the recovery



of illicit liquor has been made cannot be said to be part of the house belonging to these petitioners, rather the same is from near the house of these petitioners, who are full brothers.

Considering the submission that the petitioners are in custody since 15.08.2020, this application is allowed.

Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-II-cum-Special Judge, Nawada, in Town (Nawada) P.S. Case No. 722 of 2020.

It is, however, observed that if the petitioners are found by the prosecution indulging in any criminal activities, it shall be at liberty to approach this Court for cancellation of bail granted by virtue of the present order.

(Chakradhari Sharan Singh, J)

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