

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36875 of 2020

Arising Out of PS. Case No.-1 Year-2019 Thana- CHORAUT District- Sitamarhi

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1. Shiva Rai, aged about 24 years, male, S/o Bittu Rai.
 2. Devendra Rai, aged about 26 years, male, S/o Siyaram Rai.
- Both R/o village- Bhima Sasaula, P.S.- Pupri, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 07-04-2021 Heard the counsel for the parties.

The petitioners seek bail in anticipation of their arrest in connection with Choraut P.S. Case No. 01 of 2019, dated 04.01.2019, instituted for the offences under Sections 414 of the Indian Penal Code and Sections 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

A vehicle was seized from which four litres of locally brewed liquor was recovered. The vehicle belonged to



one Rabindra Kumar, who is said to have sold the same to one Manish Kumar. When aforesaid Manish Kumar was interrogated, he is said to have told the police that the petitioners had snatched away the vehicle from him.

Except for the aforesaid statement of Manish Kumar, it has been submitted on behalf of the petitioners that there is no other material to connect them with the offence. It has further been submitted that the motorcycle does not belong to the petitioners and there has not been any recovery from their possession.

Though the petitioners were made accused in a different/minor nature of case earlier but in that case, they have been granted bail.

Regard being had to the facts afore-stated, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Sessions Judge-



Cum-Special Judge, Excise, Sitamarhi in connection with
Choraut P.S. Case No. 01 of 2019, subject to the conditions
laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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