

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.295 of 2021

Arising Out of PS. Case No.-71 Year-2020 Thana- RAJAOLI District- Nawada

-
1. Gayani Singh @ Dhyani Ram, Son Of Late Laldhari Singh Resdent Of Village - Champakali, P.S.- Rajauli, Distt.- Nawada.
 2. Manki Devi, W/O Vijay Singh Resdent Of Village - Champakali, P.S.- Rajauli, Distt.- Nawada.
 3. Tuklal Singh @ Tuklal Ram, Son Of Late Bundu Singh Resdent Of Village - Champakali, P.S.- Rajauli, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad- Advocate
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 23-06-2021 Heard Mr. Sheo Kumar Prasad, the learned Advocate
for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest
in connection with Rajauli P. S. Case No.71 of 2020, instituted
for the offences under Sections 30(a), 41 of the Excise Act.

From the prosecution report, it appears that 40 litres
of liquor has been recovered from the house of one Mahadev
Singh whereas 10 litres of liquor is said to have been recovered
from the river side.

The learned counsel for the petitioners has submitted
that there is no recovery from either of the petitioners or from



the premises belonging to them. The name of the petitioners has transpired in the statement of local people, who told the police party that the petitioners had fled away on seeing the police party come to the village.

The learned counsel for the petitioners therefore, submits that none of the offences under the Excise Act can at all be said to have been made out against the petitioners.

The petitioners do not have criminal antecedents.

Considering the afore-stated facts, 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 Additional Sessions Judge-cum-Special Judge, Nawada in connection with Rajauli P. S. Case No.71 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

vikash/-

U		T	
---	--	---	--

