

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.144 of 2021

Arising Out of PS. Case No.-232 Year-2020 Thana- PHULWARIYA District- Gopalganj

1. Daya Rai, aged about 28 years, Gender-Male, son of Ram Janam Rai @ Ram Bhajan Rai, Resident of Village - Darihara, P. S. - Dariyapur, District - Saran at Chapra
2. Rajan Rai, aged about 31 years, Gender-Male, Son of Suraj Rai Resident Of Village - Sabalpur, P. S. - Sonpur, District - Saran at Chapra.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Dewendra Narayan Singh, Advocate
For the Opposite Party	:	Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 20-02-2021 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are in custody in connection with Phulwariya P.S. Case No. 232 of 2020, for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that the petitioners have no criminal antecedent.

In the instant case, from the pickup van, total 377.385 litres of foreign liquor was seized.

Learned counsel appearing on behalf of the petitioners submits that nothing was recovered from conscious possession of the petitioners or from the premises of house of the



petitioners but recovery was made from a public place.
Petitioners are in custody since 02.10.2020.

Considering the fact that the petitioners have no criminal antecedent and they are in custody since 02.10.2020, the Court is inclined to grant bail to the petitioners subject to the condition that the petitioners have to deposit Rs.50,000/- in cash. On depositing the amount of Rs.50,000/-, petitioners, above-named, shall be released on bail on furnishing bail bond of Rs. 50,000/- (Rupees fifty thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II-cum-Special Judge, Gopalganj in connection with Phulwariya P.S. Case No. 232 of 2020.

Deposit of Rs.50,000/- (Rupees fifty thousand) shall abide by final outcome of Phulwariya P.S. Case No.232 of 2020.

(Anil Kumar Upadhyay, J)

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