

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70016 of 2021

Arising Out of PS. Case No.-189 Year-2021 Thana- GANGABRIDGE District- Vaishali

1. Vimal Rai S/o Jagdish Rai R/o village- Diwantake, P.S.- Ganga Bridge, District- Vaishali
2. Shyam Babu Ray S/o Garbhu Rai R/o village- Diwantake, P.S.- Ganga Bridge, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-12-2021

Heard learned counsel for the parties.

The petitioners seek bail in a case registered for the offence under Section 30(a), 30(c) of Bihar Prohibition and Excise Act as well as under the provision of Indian Penal Code.

Total 5400 liters of illicit country-made liquor has been recovered from the field of co-accused Mahesh Rai, who disclosed the name of petitioners, as their associates.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of this petitioners and petitioners have been made accused only on the basis of confessional statement co-accused. Petitioners are in custody since 15.09.2021 and 01.10.2021 respectively.



Learned A.P.P. for the State has opposed the bail petition and submitted that petitioners have got criminal antecedent of similar nature of case, as per impugned order dated 23.11.2021.

Considering the fact that petitioners have got criminal antecedent of similar nature of case, the learned court below, where the case is pending, is directed to release the petitioners on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Ganga Bridge P.S. Case No. 189 of 2021, **after framing of the charge.**

(Prabhat Kumar Singh, J)

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