

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5512 of 2022

Arising Out of PS. Case No.-359 Year-2021 Thana- KESARIA District- East Champaran

1. JAI NARAYAN RAI SON OF BHIKHARI RAI Resident of Village - Pakahan, P.S.- Baikunthpur, Dist.- Gopalganj.
2. Raj Kumar Yadav Son of Late Punyakal Rai Resident of Village - Sundrapur West , P.s.- Kesariya, Distt.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjana Srivastava
For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 20-05-2022 Heard learned counsels for the petitioners and
the State.

Petitioners apprehend arrest in connection with Kesariya P.S. Case No. 359 of 2021 registered for the offence punishable under section 30(a), 32, 41(i) of the Bihar Prohibition and Excise Act, 2018.

Learned counsel appearing for the petitioners submits that petitioners have been falsely implicated in this case. Nothing has been recovered from the conscious possession of these petitioners. The alleged recovery has been made from the *Diayara* area near *Gandak* river which is an open place as is evident from the seizure list. Petitioners

have no criminal antecedent.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing of his personal bond to the satisfaction of 2nd Additional Sessions Judge-cum-Special Judge, Excise, East Champaran at Motihari in connection with Kesariya P.S. Case No. 359 of 2021 subject to the conditions laid down under section 438(2) Cr.P.C.

(Arvind Srivastava, J)

mcv/-

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