

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15409 of 2022

Arising Out of PS. Case No.-575 Year-2021 Thana- RAJAOLI District- Nawada

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1. LAV KUSH RANVANSHI SON OF PRAMESHWAR RAJVANSHI
RESIDENT OF VILLAGE- PARSA, POLICE STATION- SIRDALLA,
DISTRICT- NAWADAH
 2. ANISH KUMAR SON OF HARI RAJVANSHI RESIDENT OF VILLAGE-
PARSA, POLICE STATION- SIRDALLA, DISTRICT- NAWADAH

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-05-2022 Heard learned counsel for the parties through video conferencing.

The petitioners pray for bail in a case registered for the offence under Section 30(a) / 41 of Bihar Prohibition and Excise Act.

220 liters of country-made Mahua liquor has been recovered from four motorcycles and these two petitioners alongwith others were apprehended on spot.

It is submitted on behalf of petitioners that nothing has been recovered from the conscious possession of this petitioners. Petitioners are not the owners of any of the motorcycle and are in custody since 13.11.2021. It is further



submitted that though, petitioner no. 2 has got clean antecedent, but petitioner no. 1 is accused in one more case of Excise Act, in which, he is on bail.

Considering the fact that **petitioner no. 1** has got criminal antecedent of similar nature of case, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected. However, the learned court below, where the case is pending, is directed to release petitioner no. 1 on bail, **after framing of the charge.**

So far as prayer for bail of **petitioner no. 2** namely Anish Kumar is concerned, considering the fact that he has got clean antecedent, he is directed to be released on bail on furnishing bail-bond of **Rs. 10,000/-** (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 2, Nawada in connection with Rajauli P.S. Case No. 575 of 2021.

(Prabhat Kumar Singh, J)

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