

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28980 of 2021

Arising Out of PS. Case No.-296 Year-2020 Thana- BAIKUNTHPUR District- Gopalganj

1. Shyamdeo Rai Son Of Late Shiv Bachan Rai Resident Of Village - Bahrapur, P.S.- Baikunthpur, Distt.- Gopalganj.
2. Mithlesh Rai Son of Ramayan Rai Resident of Village - Bahrapur, P.S.- Baikunthpur, Distt.- Gopalganj.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma, Advocate

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-07-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offence punishable under Section 30a of the Bihar Prohibition and Excise Act.

As per the prosecution case, 2000 liters country made liquor was recovered from a drum being transported from a vehicle. Petitioners and other accused persons managed to escape, though they were identified by local people.

Learned counsel appearing for the petitioners submits that no incriminating material has been recovered from the conscious possession of the petitioners and they are no way



connected with the aforesaid recovery. Petitioners have not been named in the FIR.

Learned counsel for the State submits that local people have identified the petitioners and other accused persons who were indulged in illegal business of liquor. They have got criminal antecedent of similar nature.

Considering the fact that the petitioners have got criminal antecedent of similar nature, prayer for bail of the petitioners is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without being prejudiced by this order.

(Prabhat Kumar Singh, J)

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