

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28993 of 2021

Arising Out of PS. Case No.-40 Year-2021 Thana- RAJAOLI District- Nawada

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1. RAJESH KUMAR Son of Saryu Yadav Resident of Village- Sohada, P.S.- Rajauli, District- Nawada.
 2. Amresh Kumar Son of Dilip Kumar @ Dilip Yadav Resident of Village- Sohada, P.S.- Rajauli, District- Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Advocate
For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under section 414 of the Indian Penal Code and sections 30(a) and 37(c) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case case, 40 litres each of liquor is said to have been recovered from the two petitioners.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and have been falsely implicated in the case because of antecedent of petitioner no. 1. No incriminating article has been recovered from their possession. They are in custody since 20.1.2021 and the



petitioner no. 2 has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioners having remained in custody for 1 year, the petitioners are directed to be enlarged on bail in connection with Rajauli P.S. Case no. 40 of 2021 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge II – cum – Special Judge, Nawada.

(Partha Sarthy, J)

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