

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39389 of 2021

Arising Out of PS. Case No.-58 Year-2021 Thana- BARGAINIA District- Sitamarhi

1. LAXMI RAUT S/o Late Gonaur Raut R/o Village- Begahi, P.S.- Bairgenia, District- Sitamarhi.
2. SONU RAUT S/o Sunil Raut R/o Village- Bengahi, P.S.- Bargenia, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Adv.
For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-01-2022 Heard Mr. Dinesh Jha, learned counsel for the

petitioners and Ms. Meena Singh, Additional Public Prosecutor

for the State through video conferencing.

Petitioners seek regular bail in connection with
Bairganja PS Case No. 58/2021 registered for the offence
punishable under Sections 30(a) of Bihar Prohibition & Excise
Act 2016.

As per prosecution case, the police, on the basis of
secret information that the petitioners have kept consignment of
illicit liquor in a ditch near house of one Harikant Raut,
proceeded towards the place of occurrence and upon seeing the
police party, petitioners started fleeing away, however, they
were arrested and the police recovered total quantity of 72 litres



of illicit liquor from there.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case and they have got no criminal antecedent. He further submits that petitioner no.2 is grandson of the petitioner no.1 who is 72 years old and no illicit liquor has been recovered from the conscious possession of the petitioners or from the premises belonging to them and the same has been recovered from a ditch near house of one Harikant Raut.

He further submits that petitioners are in custody since 28.03.2021 and charge-sheet has already been submitted in the matter.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that no illicit liquor has been recovered from the conscious possession of the petitioners or from the premises belonging to them, petitioners are in custody since 28.03.2021, charge-sheet has been submitted in the matter and the trial is not likely to be concluded in near future due to pandemic, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, namely, LAXMI RAUT & SONU RAUT be released on bail on furnishing bail



bond of Rs. 20,000/- (Twenty Thousand) each with two sureties
of the like amount each to the satisfaction of learned 2nd
Additional Sessions Judge-cum-Special Judge, Excise,
Sitamarhi in connection with Bairgania PS Case No. 58/2021.

(Anil Kumar Sinha, J)

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