

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43101 of 2021

Arising Out of PS. Case No.-101 Year-2021 Thana- GAIGHAT District- Muzaffarpur

-
1. RAJEEV RAI S/O TAPESHWAR RAY R/O VILLAGE-BALAUUR, P.S-GAIGHAT (BENIBAD O.P), DISTRICT MUZAFFARPUR
 2. MD. SOHAIL S/O MD. SAHEBJAN R/O VILLAGE-BALAUUR, P.S-GAIGHAT (BENIBAD O.P), DISTRICT MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 22-01-2022 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 sections 272, 273, 414 and 34 of the Indian Penal Code and sections 30(a), 36 and 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on a raid being conducted 222.375 litres of liquor is said to have been recovered from the house of one Ramnath Rai and the petitioner was identified as one of the accused among 12-15 accused persons who managed to escape from the said house.

It is submitted by learned counsel for the petitioners that neither the petitioners were arrested at the spot nor any



incriminating article has been recovered from their possession. They have been falsely implicated in the case. They are in custody since 14.3.2021 and have 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, the petitioners not being arrested at the spot and not having any criminal antecedent, the petitioners are directed to be enlarged on bail in connection with Gaighat (Benibad O.P.) P.S. Case no. 101 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 Special Judge, Excise, Muzaffarpur.

(Partha Sarthy, J)

Spd/-

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

