

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43545 of 2021

Arising Out of PS. Case No.-191 Year-2021 Thana- SIRDALA District- Nawada

-
1. BINOD RAJBANSHI SON OF NARAYAN RAJBANSHI Resident of Village - Kaiwapar, P.S.- Meskaur, Distt.- Nawada.
 2. SHILA DEVI W/o Binod Rajbanshi Resident of Village - Kaiwapar, P.S.- Meskaur, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Adv.

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-01-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and the learned APP for the State, Md. Fahimuddin.

The petitioners seek regular bail in connection with Sirdala P.S. Case No. 191/2021, registered for the offence punishable under Sections 30(a)/30(d) of the Bihar Prohibition and Excise Act, 2016.



The allegation is regarding recovery of 8 liters of illicit country made liquor from an open field.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case, they are having clean antecedent and they are languishing in custody since 10.5.2021. The learned counsel for the petitioners has submitted by referring to paragraph no. 10 of the present petition that the petitioners are not the owner of the place from where the illicit liquor has been recovered. It is further submitted that no illicit liquor has been recovered from the conscious possession of the petitioners or from their house.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials



available on record as also considering the fact that no illicit liquor has been recovered either from the conscious possession of the petitioners or from their house, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-2nd-cum-Special Judge, Nawada in connection with Sirdala P.S. Case No. 191/2021.

(Mohit Kumar Shah, J)

Ajay/-

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

