

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48586 of 2021

Arising Out of PS. Case No.-178 Year-2021 Thana- NADI P.S. District- Patna

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1. VIVEK KUMAR S/o- KAMESHWAR RAI Resident of Village- Jethuli, P.S.- Nadi, District- Patna.
 2. Mithuan Kumar Son of Manoj Rai Resident of Village- Jethuli, P.S.- Nadi, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Singh, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 15-02-2022 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 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on the police personnel reaching near the place of occurrence it is stated that a number of co-accused left the sacks that they were carrying and made an attempt to escape. Thirteen accused persons including the two petitioners herein were arrested and on inquiry it transpired that these persons had been given money for transporting the liquor which belonged to Raushan Rai.



It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case under a misunderstanding. No incriminating article has been recovered from their possession. They are in custody since 2.7.2021 and have no criminal antecedent. Charge sheet has been submitted in the case.

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 not having any criminal antecedent, the Court directs the above two petitioners to be enlarged on bail in connection with Special Case no. 3972 of 2021 (arising out of Nadi P.S. Case no. 178 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, Patna.

(Partha Sarthy, J)

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