

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52009 of 2021

Arising Out of PS. Case No.-107 Year-2021 Thana- MAKER District- Saran

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1. RAJU KUMAR SAH S/o JAIRAM SAH R/o VILLAGE-BAKHRA, P.S-SARAIYA, DISTRICT-MUZAFFARPUR.
 2. SHAILESH RAI S/o SHANKAR RAI R/o VILLAGE-KHAURANI, P.S-MARHOWRAH, DISTRICT-SARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Basant Kumar Singh, Advocate
For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-02-2022 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 sections 30 and 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 70 litres of spirit was recovered from a tempo and the two petitioners were taken into custody.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from their possession. They have been falsely implicated in the case. They are in custody since 11.6.2021 and have no criminal antecedent.



Charge sheet has been submitted in the case. It is further submitted that a supplementary affidavit has been filed stating therein about the death of mother of petitioner no. 2 on 30.1.2022.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case especially the petitioners not having any criminal antecedent, the Court directs the petitioners to be enlarged on bail in connection with Maker P.S. Case no. 107 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 2nd Addl. Sessions Judge-cum-Special Judge (Excise), Saran.

(Partha Sarthy, J)

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