

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57814 of 2021

Arising Out of PS. Case No.-71 Year-2020 Thana- RAJAOLI District- Nawada

1. PARWATI DEVI, Wife of Late Mahadeo Singh Resident of Village- Champakali (Hathochak), P.S.- Rajauli, District- Nawada.
2. Tulsi Ram Son of Late Chaman Singh Resident of Village- Hathochak, P.S.- Rajauli, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 21-01-2022 Heard the learned counsel for the petitioners and

the State.

The petitioners seek bail in anticipation of their arrest in connection with Rajauli P. S. Case No. 71 of 2020, dated 01.03.2020, instituted for the offences under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

From the prosecution report, it appears that 40 litres of liquor has been recovered from the house of one Mahadev Singh whereas 30 litres of liquor is said to have been recovered from the river side.

The learned advocate for the petitioners has



submitted that there is no recovery from either of the petitioners or from the premises belonging to them. The name of the petitioners has transpired in the statement of local police, who told the police party that the petitioners had fled away on seeing the police party.

The learned advocate for the petitioners, therefore, submits that none of the offences under the Excise Act can at all be said to have been made out against the petitioners.

The petitioners have criminal antecedents.

Considering the afore-stated facts, the petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge IIInd cum Special Judge, Nawada, in connection with Rajauli P. S. Case No. 71 of 2020, subject to the conditions as laid down



under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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