

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61697 of 2021

Arising Out of PS. Case No.-243 Year-2021 Thana- BAISI District- Purnia

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1. SHANKAR KUMAR RAI @ SHANKAR RAY S/o Amol Rai @ Amar Rai Resident of Sakin- College More Islampur, P.S.- Islampur, District- Uttar Dinajpur, West Bengal.
 2. Aakash Kirtania @ Aakash Kirtiniya S/o Sapan Kirtania Resident of Sakin- College More Islampur, P.S.- Islampur, District- Uttar Dinajpur, West Bengal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.
For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-04-2022 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 272 and 273 of the Indian Penal Code and sections 30(a), 41 and 47 of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 540 litres of liquor was recovered from the Bolero pickup vehicle wherein both the petitioners were present.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. No incriminating article has been recovered from their possession or from their vehicle. They are in custody since 26.8.2021 and have no criminal antecedent.



The application for bail is opposed by learned APP for the State who submits that the 540 litres of IMFL has been recovered from the Bolero vehicle and the petitioners were arrested at the spot. They are resident of outside the State of Bihar.

Having heard learned counsel for the parties and taking into consideration the recovery of 540 litres of liquor from the Bolero vehicle and both the petitioners being arrested at the spot, the Court is not inclined to enlarge the petitioners on bail and the application is rejected.

Liberty is granted to the petitioners to renew their prayer for bail after six months

(Partha Sarthy, J)

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