

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61952 of 2021

Arising Out of PS. Case No.-96 Year-2021 Thana- VAISHALI District- Vaishali

1. RAJU RAI Son of Late Gajadhar Rai @ Late Jagadhar Rai Resident of Village - Mohammadpur Manorath , P.s.- Vaishali, Distt.- Vaishali.
2. Bhola Rai Son of Bishwanath Rai Resident of Village - Mohammadpur Manorath , P.S.- Vaishali, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-01-2022 Heard the learned counsel appearing for the petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with Vaishali P.S. Case No. 96 of 2021 for the offence punishable under Sections 272, 273 and 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 486.495 litres of illicit liquor from the hut of the co-accused person namely Santosh Kumar and 45 litres of illicit India made foreign liquor from the house of the co-accused person namely Laldev Rai. It is further alleged that upon the arrested co-accused persons being interrogated by the police, they had disclosed the name of the petitioners and other co-accused person to be their accomplice.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the



present case and they are languishing in custody since 21.06.2021. It is further submitted that the illicit liquor has neither been recovered from the house of the petitioners nor from their vehicle nor from their conscious possession and moreover the petitioners have not been arrested from the spot, nonetheless, the petitioners have been falsely implicated in the present case merely on suspicion.

Per contra, the learned A.P.P. 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 as also taking into account the materials available on record and considering the period of incarceration of the petitioners, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-2nd-cum-Excise Court, Vaishali in connection with Vaishali P.S. Case No. 96 of 2021.

(Mohit Kumar Shah, J)

S.Sb/-

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

