

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62649 of 2021

Arising Out of PS. Case No.-43 Year-2021 Thana- BISHWAMBHARPUR District-
Gopalganj

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1. Alok Rai @ Alok Kumar Rai Son Of Mithilesh Kumar Ray Resident Of Village - Baraipatti, Police Station - Yadopur, District - Gopalganj.
 2. Kunal Rai @ Kunal Kumar Rai Son Of Mithilesh Kumar Ray Resident Of Village - Baraipatti, Police Station - Yadopur, District - Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 14-06-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act, 2018.

The learned counsel for the petitioners submits that the petitioner no.1 has antecedent of four cases and petitioner no.2 has antecedent of three cases and the informant alleges that he received secret information that illegal liquor is being brought on a tractor trolley on the bank of river in village-Kala Matihiniya. Accordingly, the place was raided and on seeing the police, two accused tried to flee, but were arrested, who



disclosed their names as Rajesh Yadav and Amika Yadav and on search, 234 litre of liquor was recovered and the tractor was seized. The apprehended accused disclosed the name of these petitioners that they had handed over the loaded liquor for reaching the same to village- Dharmpur and Baraipatti.

The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. Their names transpired in the confessional statement of apprehended accused before the police which has no evidentiary value. It is next submitted that admittedly, nothing was recovered from the conscious possession of the petitioners at best it is a case where the names transpired in the confessional statement of co-accused.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Vishambharpur P.



S. Case No.43 of 2021, subject to the conditions laid down
under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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