

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57635 of 2022

Arising Out of PS. Case No.-120 Year-2022 Thana- ANDHRAMATH District- Madhubani

1. Ram Ashish Raut, Son of Subedar Raut, Resident of village - Beldari Bharferi, P.S.- Andhramath, District - Madhubani
2. Chandan Raut, Son of Raj Narayan Raut Resident of village - Beldari Bharferi, P.S.- Andhramath, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 25-11-2022 Heard learned counsel for the petitioners and learned APP for the State through video conferencing.

In the present case, the petitioners seek bail in connection with Andhramath P.S. Case No. 120 of 2022, registered for the alleged offence under Sections 272, 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act.

As per prosecution case, recovery of 162 liters of country made Nepali liquor was made from two motorcycles parked in the courtyard of the petitioners. The petitioners were apprehended from the spot.

The learned counsel for the petitioners submits that



the petitioners are innocent and have been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners have nothing to do with the recovered liquor and the seized motorcycles. The charge sheet has been submitted in this case. The petitioners are in custody since 23.07.2022 and are having clean antecedents.

The learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made hereinabove and considering the submission of charge sheet and period of custody of the petitioners along with their clean antecedents, they are directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani, in connection with Andhramath P.S. Case No. 120 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on



each and every date fixed by the court
below.

(iii) In case of absence on three
consecutive dates or in violation of the
terms of the bail, the bail bond of the
petitioners will be liable to be cancelled
by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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