

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67101 of 2021

Arising Out of PS. Case No.-286 Year-2021 Thana- NAANPUR District- Sitamarhi

1. Amresh Kumar S/o Devendra Rai Resident of Village - Mohini Mahua Gachhee, P.S. Nanpur, District - Sitamarhi.
2. Satish Kumar S/o Devendra Rai Resident of Village - Mohini Mahua Gachhee, P.S. Nanpur, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 29-06-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks from today.

In the present case, the petitioners seek bail in
connection with Nanpur P.S. Case No. 286 of 2021 registered
for the alleged offences under Section 30(a) of the Bihar
Prohibition and Excise Act.

The prosecution case is that the petitioners and co-
accused person have been dealing in illicit trade of liquor and
when a raid was conducted on their house, about 631 liters
liquor was recovered from a hut (Straw House) in front of the



house of the petitioners.

Learned counsel for the petitioners submits that the petitioners have nothing to do with the recovery made from the straw house. The straw house does not belong to the petitioners, even the motorcycles said to be recovered from the house of the petitioners did not belong to them. The petitioners are in custody since 14.09.2021.

Learned A.P.P. for the State submits that the recovery has been made from the house of the petitioners.

Having regard to the submissions made hereinabove and considering the fact that the recovery is shown to be from some straw house outside the house of the petitioner and further considering the period of custody, the petitioners are directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge II-cum-Special Judge Excise, Sitamarhi in connection with Nanpur P.S. Case No. 286 of 2021 subject to the following conditions :

(i) The bail bond of the petitioners shall be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the



petitioners.

(iii) The petitioners will remain present on each and every date fixed by the court below.

(iv) In case of absence for 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.

(Arun Kumar Jha, J)

ved/-

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