

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69431 of 2021**

Arising Out of PS. Case No.-134 Year-2021 Thana- AMAS District- Gaya

1. RAJU KUMAR Son of Jitu Yadav Resident of Village- Khajuriya Kala, P.S.- Hunterganj, District- Chatra (Jharkhand).
2. Raj Kumar Son of Jitu Yadav Resident of Village- Khajuriya Kala, P.S.- Hunterganj, District- Chatra (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Md. Javed Jafar Khan

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      08-06-2022      Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Amas P.S. Case No. 134 of 2021 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 60 liters of illicit country made liquor from the motorcycle of the petitioners.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they



have been falsely implicated in the present case, they are having a clean antecedent and they are languishing in custody since 8.6.2021. The learned counsel for the petitioners, by referring to paragraph no. 8 of the present petition, has denied the factum of ownership of the illicit liquor / motorcycle in question.

Per contra, the learned APP 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 and taking into account the materials available on record as also considering the period of incarceration of the petitioners herein, apart from the fact that they are having a clean antecedent, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like



amount each to the satisfaction of learned  
Additional Sessions Judge-II-cum-Special Judge,  
Excise, Gaya in connection with Amas P.S. Case No.  
134 of 2021.

**(Mohit Kumar Shah, J)**

Ajay/-

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