

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62701 of 2021

Arising Out of PS. Case No.-106 Year-2021 Thana- LALGANJ District- Vaishali

SITARAM RAI Son of Mahendra Rai Resident of Village Belka, P.S. -
Vaishali, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 72230 of 2021

Arising Out of PS. Case No.-106 Year-2021 Thana- LALGANJ District- Vaishali

BIRENDRA RAI @ BIRENDRA KUMAR @ BIRU RAI S/o Harendra Rai
R/o village- Belka, P.S.- Vaishali, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 62701 of 2021)

For the Petitioner/s : Mr. Anuj Kumar, Adv.

For the Opposite Party/s : Mr. Abhay Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 72230 of 2021)

For the Petitioner/s : Ms. Rina Sinha, Adv.

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-04-2022

Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in connection with Lalganj P.S. Case no.106 of 2021 registered under section 414 of the Indian Penal Code and sections 30(a), 36 and 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, secret information was received by the police personnel to the effect that the four named accused persons including the two petitioners herein



were involved in the transport of huge amount of liquor. Accordingly, on search being conducted, it is stated that from a truck, 5847 litres of IMFL besides other articles were recovered.

It is submitted by learned counsel for the petitioners that neither the petitioners were arrested at the spot nor any incriminating articles were recovered from their possession. They have been falsely implicated in the case. They are in custody since 19.7.2021 and 20.9.2021. They have no criminal antecedent.

Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R. together with the two petitioners not having any criminal antecedent, the Court directs the two petitioners to be enlarged on bail in connection with Lalganj P.S. Case no.106 of 2021 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge II-cum-Excise Court, Vaishali at Hajipur.

(Partha Sarthy, J)

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