

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66781 of 2021**

Arising Out of PS. Case No.-199 Year-2021 Thana- HATHUA District- Gopalganj

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BIR BAHADUR SINGH @ VIR BAHADUR RAI Son of Late Rajnarayan  
Singh Resident of village - Barwa Kaparpura, P.S. - Hathua, District -  
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 67326 of 2021**

Arising Out of PS. Case No.-199 Year-2021 Thana- HATHUA District- Gopalganj

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ASHA DEVI, Wife of Veer Bahadur Singh @ Vir Bahadur Rai Resident of  
Village- Barwa Kaparpura, P.S.- Hathua, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 1051 of 2022**

Arising Out of PS. Case No.-199 Year-2021 Thana- HATHUA District- Gopalganj

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ANIL SINGH SON OF JANAK SINGH RESIDENT OF VILLAGE-  
BARAWA KAPARPURA, P.S- HATHUA, DIST- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 66781 of 2021)

For the Petitioner/s : Mr. Umesh Kumar Singh, Adv.

For the Opposite Party/s : Ms. Sucheta Yadav, Adv.

(In CRIMINAL MISCELLANEOUS No. 67326 of 2021)

For the Petitioner/s : Mr. Umesh Kumar Singh, Adv.

For the Opposite Party/s : Ms. Shaheen Begum, APP

(In CRIMINAL MISCELLANEOUS No. 1051 of 2022)

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      26-04-2022                      Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 30(a), (b), (c), (d), (e), (f), 34, 36, 41 and 47 of the Bihar Prohibition and Excise Act, 2016, sections 328 and 307 of the Indian Penal Code and sections 18 and 18(c) of the Drug and Cosmetics Act.

As per the prosecution case, 59.6 litres of liquor was recovered from the premises of the accused Bir Bahadur Singh and the three accused persons were taken into custody.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. Even accepting the allegations in the F.I.R., the alleged place of recovery is a temporary construction adjacent to the house and is accessible to the general public. The petitioners have no criminal antecedent under the Bihar Prohibition and Excise Act, 2016 and are in custody since 12.8.2021.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the petitioners not having any antecedent under the Bihar Prohibition and Excise Act, 2016 and having remained in custody for 8 months, the Court directs



the three petitioners to be enlarged on bail in connection with Hathua P.S. Case no.199 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-Special Judge, Excise, Gopalganj.

**(Partha Sarthy, J)**

Saurabh/-

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