

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72191 of 2021

Arising Out of PS. Case No.-153 Year-2021 Thana- DHANHA District- West Champaran

1. Indrajeet Ray @ Indrajeet Rai Son of Chandeshwar Rai Resident of Mohalla - Nasriganj, P.S. - Danapur, Dist. - Patna.
2. Sanjay Rai Son of late Gurucharan Rai Resident of Mohalla - Nasriganj, P.S. - Danapur, Dist. - Patna.
3. Prashant Kumar Son of Rampal Rai Resident of Mohalla - Nasriganj, P.S. - Danapur, Dist. - Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-03-2022 Heard both parties.

The petitioners seek bail in Dhanha P.S. Case No. 153 of 2021, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act and section 414/34 of the Indian Penal Code.

122.46 litres of foreign liquor has been recovered from a car and petitioners were found sitting on the said car.

It is submitted on behalf of the petitioners that nothing has been recovered from conscious possession of petitioners. Petitioners are in custody since 09.09.2021. Petitioner no. 1 has got clean antecedent and petitioner nos. 2 and 3 have got criminal antecedents.



Learned APP however, vehemently opposed the prayer for bail and submitted that petitioner nos. 2 and 3 are having criminal antecedent of similar nature.

Considering the period of custody coupled with the fact that petitioner no. 1 has got no criminal antecedent, Indrajeet Ray @ Indrajeet Rai petitioner no. 1, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Act, Bettiah, West Champaran in connection with Dhanha P.S. Case No. 153 of 2021.

So far as petitioner nos. 2 and 3 are concerned, they have got criminal antecedent of similar nature, I am not inclined to enlarge the petitioner nos. 2 and 3 above-named on bail. Accordingly, the same is rejected.

However, once charge is framed and trial commences, the petitioner nos. 2 and 3 shall be released on bail by the learned trial court on its own satisfaction and on the condition that petitioners will cooperate in disposal of trial and appear before the court, as and when required.

(Prabhat Kumar Singh, J)

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