

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7179 of 2023

Arising Out of PS. Case No.-254 Year-2022 Thana- BARGAINIA District- Sitamarhi

1. RAMNATH KUMAR Son of Vishambhar Raut Resident of village - Bhakhri, P.S.- Bairstania, District - Sitamarhi.
2. Arun Das Son of Nandu Das Resident of village - Bhatauliya, P.S.- Bairstania, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioners and
learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioners seek bail in connection with Bairstania
P.S. Case No. 254 of 2022 registered for the offence under
Section 414 of the Indian Penal Code and Sections 30(a) of the
Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that the
petitioner no. 1 and 2 are in custody since 04.09.2022 and there
is recovery of 121.8 litres of wine from their possession. He
further submits that petitioner no. 1 has three criminal
antecedents of similar nature whereas petitioner no. 2 has no



criminal antecedent.

Learned APP has vehemently opposed the prayer of bail.

Considering the period of custody and recovery of liquor from their possession, this application for regular bail is allowed.

Let the petitioner no. 1 (Ram Nath Kumar) be released on bail **after completing one year of custody** as he is a habitual offender and **petitioner no. 2 (Arun Das)** be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Exclusive Excise Court-I, Sitamarhi in connection with Bairgania P.S. Case No. 254 of 2022.

The petitioners will visit Bairgania Police Station on the first Sunday of each month. Any default in appearance at the Police Station would be result in cancellation of bail bonds of the petitioners.

(Sandeep Kumar, J)

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