

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10958 of 2023

Arising Out of PS. Case No.-13 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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Bhukhulu Ray @ Bhokhalu Rai @ Niranjan Singh Son Of Jamun Ray @
Jamun Singh Resident Of Village - Daudnagar, P.S.- Bidupur, District -
Vaishali At Hajipur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 23978 of 2023

Arising Out of PS. Case No.-13 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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Mangal Rai Son Of Late Jamun Rai Resident Of Village - Daudnagar, P.S.-
Bidupur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 10958 of 2023)

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

(In CRIMINAL MISCELLANEOUS No. 23978 of 2023)

For the Petitioner/s : Mr.Ram Shankar Prasad

For the Opposite Party/s : Mr.Rita Verma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 09-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in
connection with Excise Case No. C2A/13 of 2017 registered
under sections 30(a), 30(d) and 35(a) of the Bihar Prohibition



and Excise Act and Section 20(b) of the NDPS Act.

Prosecution case relates to recovery of 35 kg of ganja and 1026 liters English wine were recovered from the joint possession of accused persons.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case. Both the petitioners were not apprehended on spot. Nothing has been recovered from their conscious possession rather it has been recovered from the joint possession of all the accused persons. Similarly situated other co-accused persons who were arrested on spot, have already been granted bail by the different co-ordinate Bench of this Court vide order dated 19.03.2018 in Cr. Misc. No. 15387 of 2018. Moreover, the petitioners are languishing in judicial custody for more than eight months.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Excise Case No.



C2A/13 of 2017 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 Sessions Judge-I Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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