

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15796 of 2023

Arising Out of PS. Case No.-935 Year-2022 Thana- MANER District- Patna

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Sujeet Rai @ Sujit Ray, son of Keshav Rai @ Kesho Ray, resident of village-
Badal Tola, Haldi Chhapra, Police Station – Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 25566 of 2023

Arising Out of PS. Case No.-935 Year-2022 Thana- MANER District- Patna

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Kamlesh Rai, son of Late Siyaram Rai, resident of village- Ram Bad, Police
Station - Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 29327 of 2023

Arising Out of PS. Case No.-935 Year-2022 Thana- MANER District- Patna

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Bhikhari Rai, son of Raj Kishore Rai, resident of Haldi Chhapra Badal Tola,
P.S. Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
(In CRIMINAL MISCELLANEOUS No. 15796 of 2023)
For the Petitioner/s : Mr. Devendra Kr. Sinha, Sr. Advocate



Mr. Alexander Ashok, Advocate
Mr. Anil Kumar Srivastava, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, APP
(In CRIMINAL MISCELLANEOUS No. 25566 of 2023)
For the Petitioner/s : Mr. Devendra Kr. Sinha, Sr. Advocate
Mr. Alexander Ashok, Advocate
Mr. Anil Kumar Srivastava, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, AP

(In CRIMINAL MISCELLANEOUS No. 29327 of 2023)
For the Petitioner/s : Ms. Usha Kumari Singh, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 08-05-2023 1. As all the criminal miscellaneous petitions have arisen out of same P.S. case, hence they are being taken up and decided together.
2. Heard learned counsel for the petitioners and the learned APPs for the State.
3. Petitioners seek regular bail in connection with Maner P.S. Case No. 935 of 2022 corresponding to Special Excise Case No. 2312 of 2022 dated 18.12.2022 registered for the offences punishable under Sections 30(a)/ 32(iii) and 30(c) of Bihar Prohibition and Excise Act.
4. The main submissions advanced by the learned counsel for the petitioners are that the instant matter relates to the recovery of 250 litres of country made mahua wine and the same is sated to have been recovered from two motorcycles, though as per prosecution's allegation the present petitioners and two co-accused persons have been shown as having possession



over the alleged motorcycles and seized wine but the petitioners have been falsely roped in this case, in fact they were working near the place of occurrence and on suspicion they have been made accused. Further submissions are that all the petitioners have fair and clean antecedent and have been languishing in jail since 19.12.2022 and they have no concern with any of the motorcycles seized with the alleged wine and against them the investigation has been completed. Further submissions are that similarly situated co-accused person namely, Sudhir Kumar has been granted bail by a co-ordinate bench of this court vide order passed in Cr. Misc. No. 15203 of 2023 and the petitioners have no concern with the alleged kilns (bhattis) and the same were found at the bank of son river.

5. Learned APPs appearing for the State have opposed the bail prayer of all the petitioners.

6. Considering the above submissions and mainly completion of investigation against the petitioners and their fair and clean antecedent, in the opinion of this court, the petitioners deserve to a lenient approach of this court. Accordingly, let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court in



connection with Maner P.S. Case No. 935 of 2022
corresponding to Special Excise Case No. 2312 of 2022.

(Shailendra Singh, J)

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