

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22192 of 2023

Arising Out of PS. Case No.-81 Year-2023 Thana- DARIYAPUR District- Saran

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1. Devendra Rai S/O Late Deep Lal Rai Resident Of Village- Vanwaripur, P.S.-
Dariyapur, District- Saran At Chapra
 2. Umesh Rai S/O Late Deep Lal Rai Resident Of Village- Vanwaripur, P.S.-
Dariyapur, District- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.

For the Opposite Party/s : Mr. Mohammed Arif, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-05-2023 1. Heard learned counsel for the petitioners and the
learned APP for the State.

2. Petitioners seek regular bail in connection with
Dariyapur P.S. Case No. 81 of 2023 dated 25.02.2023 registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act.

3. The main submissions advanced by learned
counsel for the petitioners are that the instant matter relates to
the recovery of total 280 litres of *illicit country made liquor* and
the same is stated to have been recovered from the joint
possession of both the petitioners but in actual, both the
petitioners were arrested merely on suspicion and they had no
concern with the seized liquor as well as the seized motorcycle
and against them, there is criminal antecedent of one case and in



the present matter, they have been languishing in jail since 26.02.2023 and against them, the investigation has been completed.

4. Learned APP appearing for the State opposes the bail prayer of both the petitioners and submits that both the petitioners were arrested at the spot and admittedly, the alleged seized motorcycle, upon which the alleged liquor was found, belongs to petitioner No. 2 and both the petitioners have also indulged in the manufacturing of illicit liquor hence, they do not deserve to the privilege of bail.

5. Considering the facts and circumstances of this case and mainly the completion of the investigation against both the petitioners and their custody period as well as above submissions, in my opinion it is a fit case for bail to the petitioners. Accordingly, let both the petitioners named-above be enlarged on bail, **after framing of charge**, on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Dariyapur P.S. Case No. 81 of 2023.

(Shailendra Singh, J)

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