

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42255 of 2023

Arising Out of PS. Case No.-177 Year-2023 Thana- BAHADURPUR District- Darbhanga

1. Ranjay Kumar @ Ranjoy Kumar @ Ranjay Kumar Yadav And Another Son Of Uma Raj Resident Of Mohalla - Krishnapuri, P.S. - Bahadurpur, District – Darbhanga.
2. Sachin Kumar Yadav Son Of Chandra Kumar Yadav Resident Of Mohalla - Kumar Ranjeet (RANGEET), P.S. - Baher, District – Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-07-2023 Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State.

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

3. The petitioners seek bail in connection with
Bahadurpur P.S. Case No. 177 of 2023 registered for the offence
under Sections 30(a), 32(i)(ii), 30(b), 41 and 62 of the Bihar
Excise Act, 2018 and Sections 272, 273 of the Indian Penal
Code.

4. The accused/petitioners are named in the F.I.R. and
are in custody since 18.04.2023.

5. The allegation against the petitioner is to be



engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 643.98 litres of foreign liquor from the house of petitioner no. 1.

6. Learned counsel appearing on behalf of the petitioners submitted that the alleged recovery of illicit liquor appears to be made from the back side of the house of petitioner no. 1, which is an open place and accessible by general public and it can be said safely that recovery of alleged illicit liquor not appears to be made from the conscious physical possession of petitioners. While concluding the argument, it is submitted that both petitioners are of clean antecedents, and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP, opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above as alleged recovery of illicit liquor not appears to be made from the conscious physical possession of petitioners, coupled with the fact that charge-sheet has already submitted, where petitioners are in custody since 18.04.2023, accordingly, petitioners above named, are directed to be released on bail in connection with Bahadurpur P.S. Case No.



177 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge-1st (Excise Act), Darbhanga/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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