

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46397 of 2023

Arising Out of PS. Case No.-416 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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1. Tuntun Rai Son Of Mahtab Ray Resident Of Village- Sukumarpur, Ps-
Raghopur, Dist- Vaishali
 2. Santosh Rai Son Of Rajeshwar Ray Resident Of Village- Sukumarpur, Ps-
Raghopur, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in
connection with Hajipur Excise P.S. Case No. 416 of 2023
registered under sections 30(a)(b)(c) of the Excise Act.

Prosecution case relates to recovery of 200 liters of
illicit country made liquor near Ganga river where the sand are
stored and these petitioners are said to be apprehended on spot.

Learned counsel for the petitioners submits that the
petitioner are innocent and have committed no offence. They
have falsely been implicated in this case merely on suspicion. It
is further submitted that from where the recovery has been



made, not belong to these petitioners. Nothing has been recovered from their conscious possession. They have no concern with the seized illicit liquor. The provision of Section 100 of the Cr.P.C. has not been followed in this case. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 21.06.2023.

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 Hajipur Excise P.S. Case No. 416 of 2023 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 Special Excise Court (second)-cum-Additional District and Sessions Judge, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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