

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65492 of 2022

Arising Out of PS. Case No.-248 Year-2022 Thana- AMNAUR District- Saran

1. RINKU NAT, S/O RAJU NAT, Resident of Village- Marhowrah, District- Saran at Chapra
2. MANOJ NAT, S/O GURCHUN NAT, Resident of Village- Marhowrah, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 03-02-2023 Today being Friday, matters are being taken up through virtual mode, as per current procedure for hearing.

Heard learned counsel for the petitioners and learned APP for the State.

Petitioners seek bail in connection with Amnour P.S. Case No. 248 of 2022 registered under Sections 30 and 30(a) of Bihar Prohibition and Excise Act.

There is alleged recovery of 250 litres country made illicit liquor from a motor-cycle.

Having no antecedents, petitioners are stated to be in custody since 20.03.2022. It is submitted by learned counsel for the petitioners that the alleged recovery of illicit liquor in a sack from the petitioners is false. The petitioners have no connection with the



motorcycle in question. Recovery is denied and disputed by learned counsel for the petitioners. It is submitted that recovery is not in accordance with law and investigation is complete.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, period of custody, manner of recovery, clean antecedent and the fact that investigation is complete, this Court is inclined to allow the petitioners' prayer for bail. Prayer for bail of the petitioners is allowed.

Let the petitioners above named 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 learned Additional District and Sessions Judge-2nd-cum-1st Exclusive Special Judge, Excise, Saran in Amnour P.S. Case No. 248 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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