

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68088 of 2022

Arising Out of PS. Case No.-137 Year-2022 Thana- GORIAKOTHI District- Siwan

1. BALIRAM RAI S/O HIRA YADAV Resident of village- Mustafabad, P.S.- Goreakothi, District- Siwan.
2. MUNNA YADAV S/O HIRA YADAV Resident of village- Mustafabad, P.S.- Goreakothi, District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-02-2023 Heard the learned counsel for the petitioners and
the learned APP for the State.

The petitioners seek regular bail in connection with Goriakothi PS case no. 137 of 2022 instituted for the offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act.

The allegation is regarding recovery of 259.200 liters of illicit foreign liquor from a Tavera vehicle standing in bamboo orchard.

The learned counsel for the petitioners submits that the petitioners are innocent, have been falsely implicated in the present case, they are having clean antecedent and are languishing in custody since 02.07.2022. The learned counsel for the



petitioners has further submitted that the vehicle in question does not belong to them, as has been categorically stated in paragraph no. 6 of the present petition, hence, the petitioners are not having any complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the vehicle in question does not belong to the petitioners apart from the fact that they are having clean antecedent, I deem it fit and appropriate to admit the petitioners to the privilege of bail.

Accordingly, the abovenamed petitioners are directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned court of Exclusive Special Excise Court-I, Siwan in connection with Goriakothi PS case no. 137 of 2022.

(Mohit Kumar Shah, J)

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