

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70480 of 2022

Arising Out of PS. Case No.-354 Year-2022 Thana- NADI P.S. District- Patna

UDAY RAY @ UDAY KUMAR @ UDAY YADAV Son of Asharfi Ray
Resident of Village- Fatehjampur, P.S.- Nadi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 70424 of 2022

Arising Out of PS. Case No.-354 Year-2022 Thana- NADI P.S. District- Patna

RAJNISH KUMAR S/O Suresh Ray R/o Village- Fatehjampur, P.S.- Nadi,
Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 70480 of 2022)

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Khurshid Anwar

(In CRIMINAL MISCELLANEOUS No. 70424 of 2022)

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-01-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for bail in a case
registered for the offence punishable under sections 30(a) of the
Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 150 litres



country made wine from three motorcycles and five persons managed to escape. Co-accused Ajab Ray was apprehended on spot who disclosed the names of escaped persons including the .name of both the petitioners.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have no concern with the alleged recovery or with the vehicle in questions. The name of the petitioners have been disclosed in this case by the apprehended co-accused before the police, which has got no evidentiary value in the eye of law. Neither the petitioners were arrested on spot nor any incriminating article has been recovered from their possession. Petitioner Uday Ray is languishing in judicial custody since 15.11.2022 and petitioner Rajnish Kumar since 16.09.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned



Special Judge, Excise, Patna City in connection with Nadi. P.S.
Case No. 354 of 2022.

(Sunil Kumar Panwar, J)

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