

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.400 of 2023

Arising Out of PS. Case No.-221 Year-2022 Thana- DUMARIAGHAT District- East
Champaran

-
1. Rajendra Rai Son Of Anchit Rai R/O Village- Hussaini Dhat, P.S.-
Dumariyaghat, District- East Champaran
 2. Rupesh Rai Son Of Rajendra Rai R/O Village- Hussaini Dhat, P.S.-
Dumariyaghat, District- East Champaran
 3. Krishna Rai Son Of Bhola Rai R/O Village- Hussaini Dhat, P.S.-
Dumariyaghat, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Pandey

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners prayed for regular bail in connection
with Dumariyaghat P.S. Case no. 221 of 2022 instituted for the
offence under Sections 30(a) of the Bihar Prohibition and Excise
Act.

It is alleged in the FIR that altogether 70 liters country
made liquor has been recovered from where the petitioners and
other co-accused persons fled away after leaving the gallon.
Petitioners are other co-accused have been identified by the
local Chaukidar.

Learned counsel appearing on behalf of the petitioners



has submitted that petitioners are innocent and have committed no offence. They has falsely been implicated in this present case on the disclosure made by local chaukidar. Petitioners have no concern with the alleged recovery of illicit liquor or with the place of occurrence. Neither the petitioners were arrested on spot nor any incriminating article has been recovered from their conscious possession. The petitioners are languishing in judicial custody since 22.10.2022.

Learned APP appearing for the State has vehemently 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 released on bail in connection with Dumariyaghat P.S. Case No. 221 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.2, East Champaran at Motihari.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

