

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19023 of 2024

Arising Out of PS. Case No.-180 Year-2022 Thana- KHAIRA District- Saran

1. JIRAKHAN NUT S/O- LATE NANHI NUT R/O- VILLAGE- ROUZA MASIHAN TOLA, P.S.- KHAIRA (NAGRA), DIST.- SARAN.
2. JITENDRA NUT S/O- JIRAKHAN NUT R/O- VILLAGE- ROUZA MASIHAN, TOLA, P.S.- KHAIRA (NAGRA), DIST.- SARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mili Kumari, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 14-03-2024

Heard learned counsel appearing on behalf

of the parties.

2. The petitioners seek bail in connection with Khaira (Nagra) P.S. Case No.180 of 2022 registered for the offence under Section 30(a) and 30(c) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 2 litre of illicit liquor from the house of the petitioners.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners have falsely been implicated in the present case. It is submitted that recovery of alleged illicit liquor was not made from conscious physical



possession of the petitioners rather the same was recovered from bed of river. It is further submitted that the petitioners have no concern with the alleged recovery of illicit liquor as well as place of recovery. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that petitioners are men of clean antecedent and they in custody since 24.01.2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioners.

6. Considering the facts and circumstances and submissions made on behalf of the petitioners, let both the petitioners, above named, are directed to be released on bail in connection with Khaira (Nagra) P.S. Case No.180 of 2022 on furnishing bail bonds of Rs.1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.3, Saran, Chapra.

(Ramesh Chand Malviya, J)

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