

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38513 of 2024

Arising Out of PS. Case No.-86 Year-2024 Thana- RAXAUL District- East Champaran

1. Ajeet Kumar Giri Son of Late Rajendra Giri Resident of Village- Tumariya Tola, Ward No-3, P.S- Hariya, Dist- East Champaran
2. Pawan Tiwari Son of Vinod Tiwari Resident of Village- Tumariya Tola, Ward No-1, P.S- Hariya, Dist- East Champaran
3. Sandeep Kumar Son of Late Rajendra Prasad Gupta Resident of Village- Tumariya Tola, Dhankan Road ,Ward No-5, P.S- Hariya, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Adv

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 18-07-2024 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Raxaul (Haraiya) P.S. Case No. 86 of 2024 dated 16.03.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 43.28 litres of illicit country made liquor, 2.01 litres of country made liquor and a motorcycle were recovered from the house of the petitioners.

4. Learned counsel for the petitioners has submitted



that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have no concern with the alleged recovery. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 16.05.2024 passed in Cr. Misc. No. 37690 of 2024. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners is in custody since 17.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Raxaul (Haraiya) P.S. Case No. 86 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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