

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50355 of 2024

Arising Out of PS. Case No.-170 Year-2024 Thana- PALASI District- Araria

1. Rizwan Ali @ Rizwan son of Ismail Village- Mohaniya W.No-4, Ps- Palasi Dist- Araria
2. Nihal son of Rizwan Village- Mohaniya W.No-4, Ps- Palasi Dist- Araria
- Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.N.K. Agrawal, Sr. Adv.
Mr. Arvind Kumar
Mr. Kumar Rajdeep
Ms. Diksha Kumari

For the State : Mr. J.N. Thakur

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 12-08-2024 Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

2. The petitioners are seeking regular bail in connection with Palasi P.S. Case No. 170 of 2024, registered for the offences punishable under Sections 341, 323, 307, 353 of the IPC and Sections 30(a), 32(ii) (iii), 36, 41(i) (ii) of the Bihar Prohibition and Excise Act, 2018.

3. As per allegation, on a secret information, the informant along with police personnel reached the place of occurrence. Seeing the police party, the petitioners tried to flee away but they were apprehended. On search, 612 liters of Nepali wine was recovered from the vehicle of the petitioners.

4. The 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 conscious possession of the petitioners. He has submitted further that the final form has been submitted against the petitioners. He has also submitted that the petitioners have no criminal antecedent of similar nature and are under custody since 12.05.2024.

5. On the other hand, the learned APP has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 2, Araria in connection with Palasi P.S. Case No. 170 of 2024, subject to the following conditions:-

- (i) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Nawneet Kumar Pandey, J)

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