

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61477 of 2024

Arising Out of PS. Case No.-308 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

1. Sailesh Rai S/O Bhulal Rai @ Bhulan Ray R/O Panapur, P.S- Akilpur, Distt- Patna
2. Vikash Kumar S/O Ravindra Rai R/O Gola Road, P.S- Danapur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 28-08-2024 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 Udwantnagar (Gajrajganj) P.S. Case No. 308 of 2024 dated 20.07.2024 registered for the offences punishable u/s 281 and 106(1) of the Bhartiya Nyay Sanhita and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 271.08 litres of illicit foreign liquor was recovered from two thela and the motorcycle was recovered from the possession of the petitioners.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners are not the driver of the said thela. The



name of the petitioners has come in this case on mere suspicion. The recovery was made from an open place that is accessible to anyone. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have no concern with the alleged recovery. The petitioner no.1 has two criminal antecedents and petitioner no.2 has one criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 21.07.2024.

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

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, Bhojpur, Ara in connection with Udwantnagar (Gajrajganj) P.S. Case No. 308 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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