

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64014 of 2024

Arising Out of PS. Case No.-171 Year-2024 Thana- PATAHI District- East Champaran

1. Ramjanam Raut Son of Harihar Raut Resident of Village- Marpa Moha, P.S.- Phenhara, Distt.- East Champaran
2. Pawan Sah Son of Vishnu Sah @ Vishun Sah Resident of Village- Mankarwa, P.S.- Phenhara, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Adv
	:	Mr. Hemant Ray, Adv
For the Opposite Party/s	:	Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 09-09-2024 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 Patahi P.S. Case No. 171 of 2024 dated 19.07.2024 registered for the offences punishable u/s 274, 275, 317(2) of the Bharatiya Nyaya Sanhita and Section 30(a), 38 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 477 litres of illicit Nepali country made liquor was recovered from the Scorpio.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners have no concern with the



alleged recovery. The petitioners are not the owner of the said vehicle and the same was not being driven by him at the time of the alleged recovery. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 19.07.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners by submitting that the petitioner is the driver of the said seized vehicle.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioners and the period of custody, the petitioners above-named, is 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, in connection with Patahi P.S. Case No. 171 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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