

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65420 of 2024

Arising Out of PS. Case No.-273 Year-2021 Thana- NAUGACHIA District- Bhagalpur

1. Bajrangi Kumar @ Bajrangi Rishideo Son of Bindeshwari Rishideo @ Bindesri Rishi Resident of Noniya Patti, Mushari Tola, PS- Naygachia, Distt.- Bhagalpur
2. Mukesh Kumar Son of Bindeshwari Rishideo @ Bindesri Rishi Resident of Noniya Patti, Mushari Tola, PS- Naygachia, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-11-2024 Heard Mr. Praveen Kumar, learned Advocate for the
petitioners and the learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Naugachia P.S. Case No. 273 of 2021 registered for the offences under Sections 30 and 30(ii) of the Bihar Prohibition and Excise Act, 2018.

3. The police on a tip off trade of illicit liquor conducted raid in the house of co-accused Ghutarna Rishideo. However, noticing the police party, some of the accused persons, including the petitioners, succeeded in fleeing away. In course of search, 20 litres of country made illicit liquor was recovered beneath the stair case.



4. Learned Advocate for petitioners referring to the F.I.R. and the seizure list has submitted that admittedly the alleged recovery has been made from the house of co-accused Ghutarna Rishideo. The petitioners have neither any concern with the place of recovery nor with the co-accused persons and only on account of the fact that the wife of Ghutarna Rishideo happens to be the aunt of the petitioners, their names have been implicated in this case. Moreover, the petitioners bear fair antecedent and they undertake that they will fully cooperate in the investigation and in the proceedings of the court.

5. On the other hand, learned APP for the State opposes the bail application and submits that the petitioners were identified by the police party in course of fleeing away.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the alleged recovery of illicit liquor has been made from the house of co-accused person, coupled with the fair antecedent of the petitioners, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to



the satisfaction of learned Additional Sessions Judge-II-cum-Special Excise Judge-II, Bhagalpur in connection with Naugachia P.S. Case No. 273 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

uday/-

U		T	
---	--	---	--

