

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68687 of 2024

Arising Out of PS. Case No.-228 Year-2024 Thana- RAFIGANJ District- Aurangabad

1. Avinash Kumar S/o- Ram Chandra Chaudhary Vill- Shri Nagar Mahadev Ghat Ps- Rafiganj Dist-Aurangabad
2. Vikash Kumar Son of Ram Chandra Chaudhary Vill- Shri Nagar Mahadev Ghat Ps- Rafiganj Dist-Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 25-09-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Rafiganj P.S. Case No. 228 of 2024 dated 10.06.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 40 litres of illicit country made liquor was recovered from the bush.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The name of the petitioners was transpired in this case merely on suspicion. Nothing has been



recovered from the conscious possession of the petitioners. It is further submitted that the petitioners have no concern with the alleged recovery rather the recovery has been made from an open place which is accessible to anyone. The petitioners have one antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 01.08.2024.

5. Learned A.P.P. for the State has 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) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Aurangabad (Bihar) in connection with Rafiganj P.S. Case No. 228 of 2024, G.R. No. 315/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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