

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68859 of 2024

Arising Out of PS. Case No.-102 Year-2024 Thana- RAFIGANJ District- Aurangabad

1. Avinash Kumar Son of Ram Chandra Chaudhary Resident of Village- Shri Nagar Mahadev Ghat, PS- Rafiganj, Distt.- Aurnagabad (Bihar)
2. Vikas Kumar Son of Ram Chandra Chaudhary Resident of Village- Shri Nagar Mahadev Ghat, PS- Rafiganj, Distt.- Aurnagabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh
For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 20-09-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners seek bail in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioners submits that petitioners have antecedent of one case and allegation is of recovery of 90.65 liters of liquor from a place near Mahadev cremation ground.
4. Learned counsel for the petitioners submits that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even the alleged



recovery is from a place which does not belong to the petitioner and is accessible to public at large and they came to be implicated at the instance of local people, but then it is submitted that police in majority of the cases implicates accused persons either at the instance of *Chowkidar*, local person, secret information or confessional statement in a mechanical manner without holding a proper investigation. It is also submitted that petitioner is in custody since 09.08.2024.

5. Learned A.P.P. for the State opposes the prayer for regular bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, be released on regular bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Rafiganj P.S. Case No. 102 of 2024.

(Satyavrat Verma, J)

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