

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1796 of 2025

Arising Out of PS. Case No.-155 Year-2024 Thana- MUSRIGHRARI District- Samastipur

1. Raju Kumar Son of Surendra Mahto Residence of Ward number 8, Village - Gangapur, Police Station - Musrigharari, District - Samastipur
2. Rahul Kumar Son of Surendra Mahto Residence of Ward number 8, Village - Gangapur, Police Station - Musrigharari, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-02-2025 Heard learned counsel for the petitioners and learned counsel for the State.

2. The petitioners apprehend their arrest in a case registered under Section 30(a) of Bihar Excise Act.

3. As per prosecution case, 42.570 liters illicit liquor was recovered from cauliflower field.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case only on suspicion. Further submission is that the alleged recovery has been made from an open place which is accessible to one and all. Nothing has been recovered from the conscious possession of the petitioners.



5. Learned A.P.P. for the State vehemently opposed the prayer for bail of petitioner no. 1 contending that petitioner has got 3 criminal antecedents of similar nature. Hence, he does not deserve to be enlarged on bail.

6. Considering the criminal antecedents of petitioner no. 1, his prayer for bail is, accordingly, rejected.

7. So far as petitioner no. 2 is concerned, he has got one criminal antecedent of similar nature in which he is on bail, let petitioner no. 2, namely Rahul Kumar, be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail bond of Rs. 10,000 (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. 1, Samastipur, in connection with Musrigharari P.S. Case No. 155 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Prabhat Kumar Singh, J)

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