

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.806 of 2025

Arising Out of PS. Case No.-351 Year-2024 Thana- KESARIA District- East Champaran

1. Rakesh Kumar S/O Hira Rai Resident of Village- Kudhan Ward No. 9, P.S- Keshariya, District- East Champaran.
2. Achchhelal Kumar S/O Bahadur Rai @ Bahadur Ray Resident of Village- Kudhan Ward No. 9, P.S- Keshariya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-02-2025 Heard learned counsel for the petitioners and learned
counsel for the State.

2. The petitioners apprehend their arrest in a case registered under Sections 274, 275 of the Bharatiya Nyaya Sanhita and Section 30(a) of Bihar Excise Act.

3. As per prosecution case, 50 liters illicit liquor has been recovered from bamboo orchard situated behind the house of these petitioners.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case merely on suspicion. Further submission is that the recovery of illicit liquor has been made



from an open place. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have got no criminal antecedent.

5. Learned A.P.P. appearing on behalf of the State opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case, let the above named petitioners 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 bonds of Rs. 10,000 (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court No. 3, Motihari, East Champaran, in connection with Kesariya P.S. Case No. 351 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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