

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8313 of 2025

Arising Out of PS. Case No.-449 Year-2023 Thana- BHAGWAN BAZAR District- Saran

1. Ajit Ray Son of Jawahir Ray R/o Village -Naya Basti, Brahmapur Pul Chapra, P.S.- Bhagwan Bazar District -Saran
2. Ajay Ray son of Akalu Ray R/o Village -Naya Basti, Brahmapur Pul Chapra, P.S.- Bhagwan Bazar District -Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raushan Raj

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-02-2025 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 four cases and allegation is of recovery of 350 liters of liquor from a bush.

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 petitioners and is accessible to public at large and they came to be implicated



at the instance of *Chowkidar* with whom they are on an inimical term. It is also submitted that if *Chowkidar* was aware of the involvement of the petitioners in the occurrence then why he did not inform the police prior to institution of the instant FIR which casts an aspersion on the case of the prosecution. It is next submitted that petitioners are in custody since 06.12.2024.

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, are directed to 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 the learned trial court where the case is pending/successor court in connection with Bhagwan Bazar P.S. Case No. 449 of 2023.

(Satyavrat Verma, J)

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