

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86543 of 2024

Arising Out of PS. Case No.-140 Year-2024 Thana- LAKHAURA District- East Champaran

1. Rajkishor Rai @ Rajkishor Ray S/O Late Lakhan Rai R/O Vill.- Belajitpur, P.S.- Jitna, Dist.- East Champaran.
2. Kameshwar Prasad S/O Late Jiut Rai R/O Vill.- Belajitpur, P.S.- Jitna, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 18-01-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Lakhaura P.S. Case No. 140 of 2024 dated 13.10.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 24 litres of illicit Nepali country made liquor was recovered from the bag kept on the seat of motorcycle.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. The petitioners are not the owner of



the said vehicle. The petitioners have no concern with the alleged recovery. The petitioner no.1 has two criminal antecedents and petitioner no.2 has no criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 14.10.2024.

5. Learned A.P.P. for the State has vehemently 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) with two sureties of the like amount each to the satisfaction of learned Court concerned, Motihari at East Champaran in connection with Lakhaura P.S. Case No. 140 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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