

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11907 of 2021

Arising Out of PS. Case No.-246 Year-2020 Thana- BATHNAHA District- Sitamarhi

1. Ram Bishwas Rai @ Ram Wishwas Rai S/O Yogendra Rai R/O Village- Tandaspur, P.S.-BATHNAHA, District-Sitamarhi.
2. Harish Chandra Rai S/O Yogendra Rai R/O Village- Tandaspur, P.S.- Bathnaha, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv.
Ms. Sarita Kumari, Adv.
For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 30-07-2021 Heard learned Senior Counsel for the petitioners and learned APP for the State through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, the informant received information about sale of liquor from the house of the petitioner no.1. On a raid being conducted about 408 litres of liquor was recovered from the house.

It is submitted by learned Senior Counsel for the petitioners that the two petitioners are full brothers. No incriminating article has been recovered from their possession



or house. They have been falsely implicated in the case because of their antecedents. They are in custody since 28.10.2020 and investigation in the case has concluded.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the narration in the FIR of information of sale of liquor from the house of petitioner no.1, the Court is not inclined to enlarge the petitioner no.1 on bail and his application is rejected.

Liberty is granted to the petitioner no. 1 to renew his prayer for bail on completing one year in custody.

In the facts of the case the petitioner no. 2 is directed to be enlarged on bail in connection with Bathnaha P.S. Case no. 246 of 2020 on furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II-cum-Special Judge, Excise, Sitamarhi.

(Partha Sarthy, J)

Bibhash

U		T	
---	--	---	--

