

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17298 of 2021

Arising Out of PS. Case No.-706 Year-2020 Thana- AKBARPUR District- Nawada

1. Shyamdeo Chaudhary @ Shyamdev Chaudhari Male aged about 55 years
S/o Prayag Choudhary Resident of Village- Sanokhara, P.S.- Akabarpur,
District- Nawada.
2. Vikash Kumar Male aged about 22 years, Son of Shyamdeo Chaudhary
Resident of Village- Sanokhara, P.S.- Akabarur, District- Nawada.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bindeswari Singh

For the Opposite Party/s : Dr. Kumar Uday Pratap A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 08-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioners seek bail in Akbarpur P.S. Case No. 706 of 2020, registered for the offence under Section 30(a), 30(c) of Bihar Prohibition and Excise Act.

73 liters of country-made *Mahua* liquor has been recovered from the house of the petitioners.

It is submitted on behalf of petitioners that nothing has been recovered from the conscious possession of the petitioners. The recovery has been made from the house, which is in joint possession of the family. Petitioners are in custody since 01.12.2020.



Learned A.P.P. for the State has opposed the bail petition.

Considering the nature of allegation, period of custody and the fact that nothing has been recovered from conscious possession of the petitioners, the bail petition of petitioners is allowed. Let the above named petitioners be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-II cum Special Judge, Excise, Nawada in connection with Akbarpur P.S. Case No. 706 of 2020, on the following conditions:

“(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on their absence on two consecutive dates without sufficient reason, their bail-bond shall be cancelled by the court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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