

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37188 of 2021

Arising Out of PS. Case No.-66 Year-2021 Thana- TEGHRHA District- Begusarai

1. Udgar Yadav S/O Bodhan Yadav Resident Of Village Daniaipur, Ward No.5, P.S.-Teghra, District-Begusarai.
2. Md. Shanaul S/O Md. Atik R/O Village-Sighaul, Ward No.2, P.S-Begusarai Muffasil (Singhoul O.P.), District-Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 17-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioners seek bail in Teghra P.S. Case No. 66 of 2021, registered for the offence under Section 120(B) of the I.P.C. and Section 30(a) of Bihar Prohibition and Excise Act.

41.55 liters of foreign liquor has been recovered from the house of petitioner no. 1 and both petitioners were apprehended on spot.

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 of petitioner no. 1, which is in joint possession of the family. Petitioners have got clean antecedent and are in custody since



05.03.2021.

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

Considering the nature of allegation, clean antecedent and period of custody, 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 2nd Addl. Sessions Judge-cum-Special Judge, Excise Act, Begusarai in connection with Teghra P.S. Case No. 66 of 2021, 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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