

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52710 of 2021

Arising Out of PS. Case No.-217 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

1. Jaichand Kumar Shah @ Jaychandra Kumar Sah Son of Manichandra Sah Resident of Village- Barhetta Ganga Ram, Ward No. 10, P.S.- Hathauri, District- Muzaffarpur (Bihar).
2. Rajesh Kumar Son of Prem Sahni Resident of Village- Bhusahi, Ward No. 13, P.S.- Bochahan, District- Muzaffarpur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-12-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek regular bail in connection with Kochadhaman P.S. Case No. 217 of 2021 instituted for the offences under Sections 272, 273 and 420 of the Indian Penal Code read with Section 30(a), 32, 41 and 47 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that the petitioners are in custody since 05.08.2021, are persons with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioners submits that allegation is of recovery of 148 liters of liquor. Learned counsel further submits that petitioners have been falsely implicated in the



present case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioners.

Considering the fact that the petitioners are in custody since 05.08.2021, charge-sheet has been submitted in the case and the petitioners are persons with clean antecedent, let the petitioners above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II, Special Judge, Excise, Kishanganj in connection with Kochadhaman P.S. Case No. 217 of 2021 subject to the condition as laid down under Section 437 (3) Cr.P.C.

The Court appreciates the fairness of learned counsel, Shri Sunil Kumar who brought to the notice of the Court in Cr. Misc. No. 50535 of 2021 that the petitioners of the said criminal miscellaneous have also filed the instant criminal miscellaneous application and while his criminal miscellaneous was filed prior in time but still in interest of the clients, he sought permission to withdraw the aforesaid criminal miscellaneous.

(Satyavrat Verma, J)

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