

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25117 of 2021

Arising Out of PS. Case No.-497 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

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1. SOHAN LAL S/O SADRAM R/O VILLAGE-BHALISAR, DISTRICT-VADMER (RAJASTHAN).
 2. JOGA RAM S/O LIKMA RAM R/O VILLAGE-VAMALADER, P.S-SEDWA, DISTRICT-VADMER (RAJASTHAN).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhramveer, Adv.
For the Opposite Party/s : Ms. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 10-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 420, 414, 467, 468, 471, 120B and 34 of the Indian Penal Code and sections 30(a), 36 and 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, a total of 5376 litres of liquor is said to have been recovered from a truck and the petitioners were taken into custody.



It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the petitioners possession nor from the vehicle of which they are the driver and khalasi. They have been falsely implicated in the case. They are in custody since 24.12.2020 and have no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State who submits that huge quantity of liquor has been recovered and the two petitioners are resident of outside the State of Bihar.

Having heard learned counsel for the parties and taking into consideration the facts of the case especially the two petitioners not having any criminal antecedent and having remained in custody for more than 1 year since 24.12.2020, the Court directs the two petitioners to be enlarged on bail in connection with Kuchaikote P.S. Case no.497 of 2020 on each of them 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, Gopalganj, on the following conditions:

(i) one of the bailors of both the petitioners shall be a close relative of the petitioner.



(ii) the other bailor of both the petitioners shall be resident of a
place within the jurisdiction of the learned trial court.

(Partha Sarthy, J)

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