

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17807 of 2022**

Arising Out of PS. Case No.-13 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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1. Pintu Yadav Son of Hiranman Yadav Residnet of Village - Belwar, P.S.-
Kothi, District - Gaya (Bihar)
 2. Ramu Kumar Son of Mungeshwar Yadav Residnet of Village - Basura, P.S.-
Kothi, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar Barnwal, A.P.P.

For the Opposite Party/s : Mr. Shantanu Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 22-07-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioners seek bail in a case registered for the
offences punishable under Section 30(a) of Bihar Prohibition
and Excise Act, 2018.

Recovery is of total 210 liters of Spirit.

Learned counsel for the petitioners submits that
petitioners have clean antecedent and they have falsely been
implicated in the present case. He further submits that in fact the
petitioners are the driver of the Car in question and nothing have



been recovered from the conscious possession of the petitioners, rather the recovery has been made from the Car in question. He further submits that the petitioners are not the owner of the car in question and they have no concern with the alleged recovery. The petitioners are in custody since 09.01.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

Considering the aforesaid facts and circumstances, let the petitioners, above named, 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 the learned Court below where the case is pending in connection with Excise P.S. Case No. 13 of 2022, subject to the following conditions:-

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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