

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21491 of 2022

Arising Out of PS. Case No.-24 Year-2022 Thana- MOHAMMADPUR District- Gopalganj

1. DHIRAJ KUMAR SAH Son of Umesh Sah Resident of Village- Bhikhanpur, P.S.- Ahiyapur, District- Muzaffarpur.
2. Rohit Kumar S/o Vindeshwer Sah Resident of Village- Bhikhanpur, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh

For the Opposite Party/s : Mrs.Pushpa Sinha. I

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 09-06-2022 Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with Mohammadpur P.S. Case No. 24 of 2022 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

As per prosecution case, 120.24 litre country made as well as foreign liquor was recovered from a Hyundai Car and petitioners were found sitting in the said car.

Learned counsel for the petitioners submits that



petitioners are in custody since 13.02.2022 and bear no criminal antecedent. He further submits that petitioners are not owner of the said car. He further submits that charge sheet has been submitted in the case and there is no likelihood of tampering the evidence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case as well as period of custody and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II cum Special Excise Judge Court No. 1, Gopalganj in connection with Mohammadpur P.S. Case No. 24 of 2022, subject to following conditions:-

(i) One of the bailor shall be either father or mother or sister or brother or wife or the person who sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned



Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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