

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24079 of 2022

Arising Out of PS. Case No.-73 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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1. SONU KUMAR @ BHOLU S/O KAUSHAL NAND KISHORE R/o Mohalla- Dharampur Chowk, P.S.- Town Samastipur, District- Samastipur
 2. Arjun Kumar S/o Late Mahadev Rai R/o village- Darhia Belar, P.S.- Muffasil, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh

For the Opposite Party/s : Mr.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 10-08-2022 Heard learned counsel for the petitioners and
learned APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioners seek bail in connection with Excise Case No. 73/ 2022 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

As per prosecution case, during the search of the vehicles, from one Tata indica car, 58 liters of India made foreign liquor was recovered and the petitioners who were



sitting in the car were apprehended.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioners and the petitioners have got no concern with the allegedly seized liquor or the seized vehicle. The petitioners have got no criminal antecedent and they are in custody since 13.03.2022. Prosecution report has been submitted in this case.

Learned APP for the State opposes the prayer for bail of the petitioners.

Having regard to the submissions made hereinabove and considering the submission of prosecution report in this case along with period of custody of the petitioners, the petitioners above named are directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned I/C Additional District and Sessions Judge-IV-cum-Special Excise Court-II, Gopalganj in connection with Excise Case No. 73/ 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close



relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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