

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42005 of 2022

Arising Out of PS. Case No.-98 Year-2022 Thana- SAHARGHAT District- Madhubani

1. LAL BABU YADAV @ LALBABU YADAV Son of Late Ram Chandra Yadav @ Late Ramchandra Yadav, Resident of Village - Karba, P.S.- Kamtaul, Distt.- Darbhanga.
2. Arjun Yadav Son of late Laxmi Yadav, Resident of Village - Karba, P.S.- Kamtaul, Distt.- Darbhanga.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-08-2022 Let the defects, as pointed out by the Office, be removed within a period of two weeks from today.

Heard learned counsel for the petitioners and learned APP for the state.

Petitioners seek regular bail in connection with Saharghat P.S. Case No.98 of 2022 alleged under Sections 272 and 273/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per the prosecution, total 138 litres of Nepali wine were alleged to be recovered in this case.

Learned counsel for the petitioners submits that petitioner are innocent and have committed no offence. He

further submits that both the petitioners were coming on motorcycle, in the meantime police has arrested them and booked their name in a case as at a nearby place one bag of wine was recovered in amended estate. Learned counsel for the petitioners further submits that charge sheet has already been filed in this case and petitioners are in custody since 23.05.2022 having clean antecedent.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Saharghat P.S. Case No. 98 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioners shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of their bail bonds.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioners.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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