

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46318 of 2022

Arising Out of PS. Case No.-360 Year-2022 Thana- NAUTAN District- West Champaran

1. Nandan Kumar S/O Suresh Thakur Resident of Village- Babhnauli, P.S.- Govindganj, District- East Champaran
2. Jawahir Sharma S/O Lalji Sharma @ Lalji Thakur, R/o Budhwalia, P.S.- Nautan, District- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar, Advocate

For the Opposite Party/s : Mrs.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-10-2022 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.

In the present case, the petitioners seek bail in connection with Nautan P.S. Case No. 360 of 2022, registered for the alleged offence under Section 414 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act.

Allegedly, 224.640 liters of India made foreign liquor was recovered from a motorcycle and a car. The petitioners were apprehended from the spot.



The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Nothing incriminating has been recovered from their conscious possession. The motorcycle seized from the possession of the petitioners belongs to the co-villager of petitioner Nandan Kumar. The charge sheet has been submitted in this case. The petitioners are in custody since 29.06.2022 and are having clean antecedent.

The learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made hereinabove and considering the submission of charge sheet and period of custody of the petitioners along with their clean antecedent, they are directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran, in connection with Nautan P.S. Case No. 360 of 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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