

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47977 of 2022

Arising Out of PS. Case No.-567 Year-2021 Thana- JOGAPATTI District- West Champaran

1. Anirudha Sah @ Anirudha Kumar, Son of Pramod Sah, R/o village - Jagiraha Pipra, Norangiya, Mahabirpur, P.S.- Yogapati, District - West Champaran
2. Sonu Kumar, Son of Pramod Sah, R/o village - Jagiraha Pipra, Norangiya, Mahabirpur, P.S.- Yogapati, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manjeet Kumar Mishra, Advocate
For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, 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 Jogapatti P.S. Case No. 567 of 2021 registered
for the alleged offences under Section 30(a) of the Bihar
Prohibition and Excise Act.

As per prosecution case, recovery of total 5.40 litres
of foreign liquor was made from the motorcycle and cowshed of
the petitioners who were successful in fleeing away from the
spot.



The learned counsel for the petitioners submit that the petitioners are innocent and have been falsely implicated in this case. Nothing incriminating has been recovered from their conscious possession and they have nothing to do with the seized articles. They are not the owners of the said motorcycle nor they dealer of the illicit liquor. The petitioners are in custody since 24.06.2022 and charge-sheet has been submitted.

Learned APP opposes the prayer for bail.

Having regard to the submissions made on behalf of the parties and considering that nothing has been recovered from conscious possession of the petitioners and further considering the period of their custody along with the submission of charge-sheet, the petitioners above named 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 Jogapatti P.S. Case No. 567 of 2021, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) The bail bond of the petitioner no.1 will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of



the petitioners.

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

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

(Arun Kumar Jha, J)

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