

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64212 of 2021

Arising Out of PS. Case No.-398 Year-2021 Thana- BAGHA District- West Champaran

LALJI YADAV Son of Bipat Yadav Resident of Village- Din Dayal Nagar,
Ward No, 27, P.S.- Bagaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 60731 of 2021

Arising Out of PS. Case No.-398 Year-2021 Thana- BAGHA District- West Champaran

KRISHNA MALI @ NETA Son of Chhathu Mali Resident of Village -
Dindayal Nagar, Ward No.27, P.S.- Bagaha, Distt.- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 64212 of 2021)

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Adv.

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

(In CRIMINAL MISCELLANEOUS No. 60731 of 2021)

For the Petitioner/s : Mr. Prashant Kumar, Adv.

For the Opposite Party/s : Mr. Vinod Shankar Modi, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-04-2022

Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 414 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on being confronted by the police it is stated that the two accused persons managed to escape living behind 52.5 litres of country liquor. On enquiry it transpired that the two accused persons where the two



petitioners herein.

It is submitted by learned counsel for the petitioners that neither the petitioners were arrested at the spot nor any incriminating article has been recovered from their possession. They have been falsely implicated in the case. They are in custody since 29.7.2021 and 4.8.2021 respectively and Krishna Mali has no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioners not having been arrested at the spot and having remained in custody since 29.7.2021 and 4.8.2021 respectively, the Court directs the two petitioners to be enlarged on bail in connection with Bagha P.S. Case no. 398 of 2021 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Bettiah, West Champaran.

(Partha Sarthy, J)

Bibhash/-

U			
---	--	--	--

