

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51346 of 2022

Arising Out of PS. Case No.-317 Year-2022 Thana- JOGAPATTI District- West Champaran

1. SHIV MUKHIYA Son of Sri Wakil Mukhiya R/V- Bintoliya, P.S- Jogapatti (Shanichari) Dist- West Champaran
2. Sugriv Mukhiya Son of Sri Baijnath R/V- Bintoliya, P.S- Jogapatti (Shanichari) Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. 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 (Shanichari) P.S. Case No. 317 of
2022 registered for the alleged offences under Sections 272,
273 and 414 of the Indian Penal Code and under Section 30(a)
of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, petitioners were apprehended
with two liters of country made liquor.

Learned counsel for the petitioners submits that

petitioners are innocent and have been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of the petitioners. Charge sheet has been submitted in this case and the petitioners are in custody since 06.06.2022. The petitioners have got no criminal antecedent.

Learned A.P.P. for the State opposes the prayer for bail of the petitioners.

Having regard to the submission made on behalf of the parties and considering the nature of recovery and the submission of charge sheet along with period of custody of the petitioners and their clean antecedent, 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 Exclusive Special Judge, Excise, West Champaran at Bettiah in connection with Jogapatti (Shanichari) P.S. Case No. 317 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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