

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52920 of 2022

Arising Out of PS. Case No.-288 Year-2022 Thana- CHANDAUTI District- Gaya

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1. Rambali Chaudhary Son of Kashi Chaudhary R/V- Kujapi, P.S- Chandauti, Dist- Gaya
 2. Satendra Prasad @ Satyendra Prasad Son of Late Ramswarup Prasad R/V- Kujapi, P.S- Chandauti, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual mode.

The petitioners seek regular bail in connection with
Chandauti P.S. Case No. 288 of 2022 lodged under Section
30(a) of the Bihar Prohibition and Excise Amendment Act,
2022.

As per the prosecution case, total recovery of 50 litre
desi mahua wine is the subject matter of the present case.

Learned counsel for the petitioners submit that
petitioners are innocent and have committed no offence.

Counsel further submits that the antecedents of the petitioners are clean and they are in custody since 22.07.2022. Counsel further submits that charge sheet has already been filed in this case and petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them by the Court.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this 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) each with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Excise Court No. 1, Gaya in connection with Chandauti P.S. Case No. 288 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 be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the

petitioners.

C. The petitioners shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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