

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56879 of 2022

Arising Out of PS. Case No.-223 Year-2022 Thana- KISHUNPUR District- Supaul

1. Chandar Yadav Son of Basudeo Yadav Resident of village - Sukhasan, Ward No.- 4, P.S.- Kishanpur, District - Supaul.
2. Kamal Yadav Son of Basudeo Yadav Resident of village - Sukhasan, Ward No.- 4, P.S.- Kishanpur, District - Supaul.
3. Pradeep Kumar Son of Kamal Yadav Resident of village - Sukhasan, Ward No.- 4, P.S.- Kishanpur, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Adv.

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 02-12-2022 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 Kishanpur P.S. Case No. 223 of 2022, S.T. Excise Case No. 611 of 2022 lodged under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, the total recovery of 1280.52 liter of foreign liquor has been made from the house of petitioner No. 1.

Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. Learned counsel also submits that the said recovery has been

made at such a place which is used as a common place in which many people used to come and go. Learned counsel further submits that petitioner No. 2 and 3 were alleged to be present at the said place. He also submits that antecedents of the petitioners are clean and they are in custody since 20.08.2022 and charge-sheet has already been filed in this case and there is no chance of tampering with the evidence.

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) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV-cum-Special Judge, Excise, Court No. 1, Supaul in connection with Kishanpur P.S. Case No. 223 of 2022, S.T. Excise Case No. 611 of 2022 subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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