

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57205 of 2022

Arising Out of PS. Case No.-216 Year-2022 Thana- AMNAUR District- Saran

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1. Satendra Nat @ Satyendra Nat, Son Of Jagdish Nat, R/O Village- Lachhi Kaituka, P.S.- Amnaur, Distt.- Saran
 2. Dharmendra Nat, Son Of Ram Nat, R/O Village- Lachhi Kaituka, P.S.- Amnaur, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shatrughan Pandey, Advocate

For the Opposite Party/s : Mr.Kanhaiya Kishore, (App100)

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-11-2022 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 Amnour P.S. Case No. 216 of 2022 registered
for the alleged offences under Section 30(a) of the Bihar
Prohibition and Excise Act, 2018.

As per prosecution case, petitioners were
apprehended and from the place of occurrence, 227 liters of
country made liquor was recovered.

Learned counsel for the petitioners submits that

petitioners are innocent and have been falsely implicated in this case. From the perusal of F.I.R. and seizure list, it is apparent that nothing incriminating has been recovered from the conscious possession of this petitioner. The alleged recovery has been made from the bush behind the hut which does not belong to the petitioners. It also appears from the F.I.R. that petitioners were not arrested from the spot. Charge sheet has been submitted in this case and the petitioners are in custody since 30.07.2022. The petitioners have got clean 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 allegation and 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 Additional District and Sessions Judge-IIInd-cum-1st Exclusive Special Judge Excise, Saran (Chapra) in connection with Amnour P.S. Case No. 216 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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