

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65468 of 2022

Arising Out of PS. Case No.-146 Year-2022 Thana- DARIHAT District- Rohtas

1. ACHHAY YADAV @ GAURAV KUMAR Son of Ashok Yadav Resident of Vill.- Nand Tola, Hurka, P.S. - Darihat, District - Rohtas (Bihar).
2. Bhola Yadav @ Bhola Singh Yadav @ Vikram Kumar Son of Resident of Vill.- Nand Tola, Hurka, P.S. - Darihat, District - Rohtas (Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

115 litres of country made liquor was recovered near Sone river. Two persons were apprehended at the spot and two persons managed to flee away.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got one criminal antecedent of similar nature as stated in paragraph-3 of



the bail application. It is further submitted that the apprehended persons disclosed the name of the petitioners. It is further submitted that there is no recovery from the conscious possession of the petitioners.

Petitioners are agree to deposit a sum of Rs. 20,000/- (rupees twenty thousand) **each** in the Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioners, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-1-cum-Additional District & Sessions Judge, Rohtas, Sasaram in connection with Darihat P.S. Case No.146 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be their own blood relative,



preferably, father, mother, brother, sister and/or their wives.

(ii) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.

The bail bond of the petitioners shall be accepted by the learned court below on showing receipt of deposit of the aforesaid amount in the Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

Sanjay/-

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