

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62981 of 2022

Arising Out of PS. Case No.-272 Year-2022 Thana- OBRA District- Aurangabad

1. VED PRAKASH @ VED CHAUHAN Son of Lalchand Chauhan R/o Village - Ganesh Gadh, P.S.- Lal Gadh Jatan, District - Sri Ganga Nagar, Rajasthan.
2. Sandeep Singh @ Sandeep Sharma Son of Yogendra Sharma R/o Village - Kishunpura, P.S.- Hanuman Gadh, District - Hanuman Gadh, Rajasthan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners seek bail in connection with Obra P.S. Case No. 272 of 2022, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

As per allegation, 375.44 litres of liquor was recovered from a Bolero bearing Reg. No. CG-11AX-2912.

The Ld. counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in this case. He further submits that nothing has been



recovered from the conscious possession of the petitioners.

The petitioners have been languishing in jail since 03.07.2022.

It is also stated in paragraph no. 2 of the petition that the petitioner have never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioners have been made accused in two more cases.

However, the learned APP for the State vehemently opposes the prayer of the petitioners for bail.

Considering the aforesaid facts and circumstances, the petitioners, above-named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Ld. Spl. Judge Excise, Second, Aurangabad, Bihar in connection with Obra P.S. Case No. 272 of 2022 on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.



(ii) The petitioners will undertake that investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedent despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioners.

The application stands allowed accordingly.



The learned counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

uttam/-

U		T	
---	--	---	--

