

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8418 of 2023

Arising Out of PS. Case No.-288 Year-2022 Thana- BHAWANIPUR District- Purnia

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1. Chandan Kumar S/O Suresh Rai Resident of Village- Mataili, P.S.- Rupauli, District- Purnea.
 2. Shyam Kumar S/O Dinesh Prasad Yadav Resident of Village- Rupauli, P.S.- Rupauli, District- Purnea.
 3. Shravan Kumar S/O Jago Sah Resident of Village- Rupauli, P.S.- Rupauli, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek regular bail who are in custody since 17.11.2022 in connection with Bhawanipur P.S. Case No. 288 of 2022 for the offence registered under Section 30 (a) of the Bihar Prohibition and excise Act, 2016.

It is alleged in the FIR that on 16.11.2022, 195 litres foreign liquor was recovered from a Scorpio vehicle of which



petitioner no. 1 is the driver and the other two petitioners are said to be the occupants of the seized vehicle.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in this. Petitioners were unaware about the said liquor in the Scorpio and the petitioners have no concern with the said alleged recovery of the liquor. He has further submitted that nothing has been recovered from the conscious possession of the petitioners. Charge-sheet has already been submitted against the petitioners.

Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioners.

Considering the submissions on behalf of the parties, and the fact that the petitioners have no criminal antecedent, let the petitioners, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned concerned court below in connection with Bhawanipur P.S. Case No. 288 of 2022, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.



(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason their bail shall be cancelled by the learned Court concerned.

(Sunil Dutta Mishra, J)

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