

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11595 of 2023

Arising Out of PS. Case No.-374 Year-2022 Thana- AMNAUR District- Saran

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1. GUDDU PRASAD SON OF AWADHESH PRASAD R/O VILL.-
KHORIPAKAR GOVIND, P.S.- AMNOUR, DISTT.- SARAN AT CHAPRA
 2. SANJIV PRASAD @ SANJI SON OF AWADHESH PRASAD R/O VILL.-
KHORIPAKAR GOVIND, P.S.- AMNOUR, DISTT.- SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

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

The petitioners seek bail in connection with
Amnour P.S. Case No. 374 of 2022 registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Amendment Act.

As per prosecution case, there is alleged recovery
of 122.400 liters Desi liquor from the shop and motorcycle in
question and petitioners are apprehended on spot.

Learned counsel for the petitioners submits that
petitioners are in custody since 19.12.2022. Petitioner bears no
criminal antecedent. Charge sheet has already been submitted in



the case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, keeping in view clean antecedent of the petitioners and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge, - II-cum- 1st Exclusive Excise Judge, Excise, Saran at Chapra in connection with Amnour P.S. Case No. 374 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for



cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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