

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21932 of 2023

Arising Out of PS. Case No.-110 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

1. SURAJ KUMAR S/o- RAVINDRA SINGH RESIDENTS OF VILLAGE-
TULASIMANDI AGAMKUWAN PS- ALAMGANJ, DISTRICT-PATNA
2. Sonu Kumar son of Late Bhola Kewat Village- Murtaliganj Patna City, Ps-
Mehandiganj Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Prakash

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in connection with Mohania
P.S. Case No. 110/2023 registered for the offences punishable
under Sections 30(a) / 47 of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

As per prosecution case, there is alleged recovery of
252.54 liters foreign liquor from pick up van in question.
Petitioner no.01 is driver and petitioner no.2 is co-driver of the
said pick-up van and they apprehended on the spot.

Learned counsel for the petitioners submits that
petitioners are innocent and have falsely been implicated in this



case. He further submits that the petitioners are languishing in custody since 16.02.2023 and bear no criminal antecedent.

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

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise No.1 cum A.D.J.-IV, Kaimur at Bhabhua in connection with Mohania P.S. Case No. 110/2023, 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)

amitkumar/-

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

