

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25933 of 2023

Arising Out of PS. Case No.-167 Year-2023 Thana- SHEKHPURA District- Sheikhpura

1. AKSHYA KUMAR SINGH S/o- NARESH PD. SINGH @ NARESH PRASAD SINGH Village- Bazipur Meyari Ps- Sarairanjan Dist- Samastipur
2. Suraj Kumar @ Suraj Kumar Yadav Son of Ravindra Das Village- Chakbahadbin Ps- Dalsinghsarai Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

The petitioners seek bail in connection with Sheikhpura P.S. Case No. 167 of 2023 registered for the offences punishable under Sections 30(a), 41 and 32 of the Bihar Prohibition and Excise (Amendment) Act ,2018.

As per prosecution case, there is alleged recovery of total 963 litre foreign liquor from the alto car and bolero pick up van in question. Petitioner no. 1 is found sitting in the said bolero pick up van and Petitioner no. 2 is alleged to driver of the said vehicle and both apprehended on spot.

Learned counsel for the petitioners submit that



petitioners are in custody since 21.03.2023 and bears no criminal antecedent. He further submits that petitioners are quiet innocent and have falsely been implicated in the case.

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, period of custody, keeping in view clean antecedent of the petitioners , argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge, Sheikhpura in connection with Sheikhpura P.S. Case No. 167 of 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)

vashudha/-

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

