

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28634 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- BHELDI District- Saran

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1. MOHAN LAL SON OF MADHA RAM RESIDENT OF VILLAGE- BACHHRAOO, PS- DORI, DISTT- BARMER, RAJSTHAN
 2. YOGA RAM @ JOGA RAM SON OF GURDAN RAM RESIDENT OF VILLAGE- NIMMAL KOT, PS- SENGIRI , DISTT- BARMER, RAJSTHAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghwendra Pratap Singh
For the Opposite Party/s : Mr.Meena Singh

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 Bheldi
P.S. Case No. 23 of 2023 registered for the offences punishable
under Sections 420, 467, 468, 471, 120(B) of the I.P.C. and
Sections 30(a), 32, 36, 41 of the Bihar Prohibition Act.

As per prosecution case, there is alleged recovery
of 4554.360 litre foreign liquor from the truck in question. It is
further alleged that both petitioners were apprehended on the
spot.

Learned counsel for the petitioners submits that
petitioners are innocent and have not committed no offence as



alleged against them and they have falsely been implicated in the present case. He further submits that petitioners are in custody since 22.01.2023 and bear no criminal antecedent.

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

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent, 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 bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 2nd cum Exclusive Special Judge, Excise, Ist Saran, Chapra in connection with Bheldi P.S. Case No. 23 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)

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