

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29128 of 2023

Arising Out of PS. Case No.-18 Year-2023 Thana- GOPALPUR District- Gopalganj

1. RAJIV KUMAR @ RAJEEV KUMAR SON OF SURENDRA PASWAN
R/O-BANWARIPUR, MORA, P.O.-WENA, P.S.-WENA, DISTT.-
NALANDA
2. BABLU KUMAR SON OF SURENDRA PASWAN R/O-BANWARIPUR,
MORA, P.O.-WENA, P.S.-WENA, DISTT.-NALANDA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Chaudhary

For the Opposite Party/s : Mr.Kanhaiya Kishore (App.100)

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 Gopalpur
P.S. Case No. 18 of 2023 registered for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

As per prosecution case, there is alleged recovery of
282.24 liquor from two vehicles in question. Petitioners are
apprehended on spot.

Learned counsel for the petitioners submits that
petitioners is in custody 17.02.2023 and bears no criminal
antecedent. He further submits that petitioners are quiet



innocent and have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners.

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 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-IV-cum-Special Excise Court No.-II, Gopalganj in connection with Gopalpur P.S. Case No. 18 of 2023, subject to following conditions:-

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

(ii) Petitioner 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 petitioner tampers 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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