

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61156 of 2022

Arising Out of PS. Case No.-231 Year-2022 Thana- MUFFASIL District- Aurangabad

1. Anand Kumar @ Anand Sharma S/O Late Mohan Lal @ Mohan La Sharma R/V- Bikaner Ward No. 60, P.S.- Naya Sahar Area, Distt- Bikaner, Rajasthan.
2. Rahul Mundhra S/O Kisanlal Jee Mundhra @ Kishan Lal Jee R/V- Jasrur Gate, P.S.- Naya Sahar Area, Distt-Bikaner, Rajasthan.
3. Ved Prakash @ Ved Chauhan S/O Lalchand Chauhan R/V- Ganesh Gadh, P.S.- Lal Gadh Jatan, Distt-Sri Ganga Nagar, Rajasthan.
4. Sandeep Singh @ Sandeep Sharma S/O Yogendra Sharma @ Devendra Singh R/V- Ganesh Gadh, Distt- Hanuman Gadh, Rajasthan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhukar Anand

For the Opposite Party/s : Ms. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-01-2023 Today being Friday, matters are being taken up through virtual mode, as per current procedure for hearing.

Heard learned counsel for the petitioners and learned APP for the State.

This Court would expect that the petitioners' counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioners seek bail in connection with Muffasil (Aurangabad) P.S. Case No. 231 of 2022 registered under Section 30(a) of Bihar Prohibition and Excise Act.



381.750 litres illicit liquor has been recovered from a vehicle. The persons, who were travelling in the vehicle, have stated that the petitioners are associates in the illegal trade.

It is submitted by learned counsel for the petitioners that there is no recovery from the petitioners nor they were present at the time of recovery. Their implication is based on statement of co-accused and on account of criminal antecedents in two cases. Petitioners are in custody since 20.07.2022.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submission advanced by the petitioners' counsel. Prayer for bail of the petitioners is allowed.

Let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, First, Aurangabad, Bihar in Muffasil (Aurangabad) P.S. Case No. 231 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will



be liable to be cancelled.

(Madhuresh Prasad, J)

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