

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66323 of 2023

Arising Out of PS. Case No.-592 Year-2023 Thana- CHAPRA TOWN District- Saran

1. Tribhuan Kumar, Son of Late Ganesh Prasad R/o vill - Arya Nagar Giri Tola,
P.S. - Chapra Town, Distt. - Saran
2. Praduman Kumar, Son of Tribhuan Kumar R/o vill - Arya Nagar Giri Tola,
P.S. - Chapra Town, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seeks regular bail in connection with Chapra Town P.S. Case No. 592 of 2023, lodged on 24.07.2023 under Sections 30(a) & 41(1) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, FIR has been lodged against three named accused persons. The total recovery of 133.5 litres of country made foreign liquor is the subject matter of the present case. The name of the petitioners has figured in this case with an allegation that from a motorcycle, the recovery of 2.34 litres of country made foreign liquor has been made.



Subsequently, on the confession of apprehended accused persons, 133.5 litres of country made foreign liquor has also been recovered from the house of the petitioners.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that under a conspiracy, the police have dragged their names in this case. The place and the home is basically within the public domain. He further submits that the antecedent of the petitioners are clean and they are in custody since 25.07.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-1st, Exclusive Special Judge, Excise, Saran at Chapra in connection with Chapra Town P.S. Case No. 592 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his



bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J.)

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