

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67852 of 2023

Arising Out of PS. Case No.-1013 Year-2023 Thana- PHULWARISHARIF District- Patna

1. Shyam Lal @ Shyam S/O- Naina Ram R/O- Village- Radiya Dera, Banda Dera, Nausr, P.S.- Matauda, Dist.- Jodhpur (Rajasthan)
2. Bhoma Ram S/O- Prem Kishan Village- Ekki Saris Nagar Salwas Road Sangariya Fanta Ps- Pasaini Dist- Jodhpur Rajasthan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad
For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case instituted for the offence under Sections 420, 467, 468, 471 and 120B of the IPC and Sections 30(a)/32(ii)(iii), 36, 41(i) (ii) and 56 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of 4433.87 liters of illegal foreign liquor from a truck, which was being driven by the petitioner no. 1.

4. It is submitted by learned counsel for the petitioners



that petitioners have been falsely implicated in this case. They have committed no offence. Petitioners were apprehended on spot. He submitted that the petitioners have no concern with the seized liquor. Nothing incriminating articles have been recovered from the conscious possession of the petitioners. Petitioners have got no criminal antecedent as stated in para-3 of the bail petition. They are languishing in judicial custody since 16.07.2023.

5. The application for bail is opposed by learned APP for the State.

6. The petitioner no. 1 is directed to deposit Rs. 10,000/- (ten thousand) in the account of concerned DLSA.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Phulwarisharif P.S. Case No. 1013 of 2023.

8. The bail bond of the petitioner no. 1 shall be accepted by the learned Court below on showing receipt of



deposit of Rs. 10,000/- (ten thousand) by the petitioner no. 1 in
the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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