

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 67340 of 2022

Arising Out of PS. Case No.-270 Year-2022 Thana- CHAINPUR District- Kaimur (Bhabua)

1. HRIDAY PRASAD @ HIRDYA PRASAD Son of Gyani Bind Resident of Village- Chitadhi, P.S.- Chainpur, District- Kaimur at Bhabua
2. SUJIT KUMAR Son of Gyani Bind Resident of Village- Chitadhi, P.S.- Chainpur, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Tribhuwan Narayan, Advocate

For the Opposite Party/s : Ms Pushpa Sinha, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 10-02-2023

Heard learned senior counsel for the petitioners and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioners seek bail in Chainpur Police Station (for brevity, **PS**) Case No 270 of 2022 registered for the offence punishable under Section 30 (a) of Prohibition and Excise (Amendment) Act, 2018.

As per the First Information Report, stored in several plastic containers, 273 liters illicit liquor has been recovered from the petitioners' home.

Learned counsel for the petitioners submits that there are others also, who were residing in the joint family house. The petitioners were not having any knowledge about storage of any liquor. Having no antecedents, they are in custody since 21.10.2022. Investigation is complete.

Learned APP has opposed the prayer for bail.

This Court, having considered the rival submissions,



alleged manner of recovery, period of custody as also the fact that investigation is complete, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for bail is allowed. Let the petitioners, above named, be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge IV cum- Special Judge, Excise No I, Kaimur at Bhabhua in Chainpur PS Case No 270 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)

M.E.H./-

U		T	
---	--	---	--

