

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30279 of 2024

Arising Out of PS. Case No.-72 Year-2023 Thana- CHACKMEHSI District- Samastipur

1. Satyam Kumar Son of Arvind Thakur Resident of Village- Singhiya, Police Station- Kalyanpur, District- Samastipur
2. Gulsan Kumar Son of Bablu Thakur R/o Village- Chhornagar, Bhargana Barheta, Police Station- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-04-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Chakmehsi PS Case No. 72 of 2023 instituted for the offences under Sections 468, 471, 420, 414 & 34 of the Indian Penal Code and Sections 30(a), 32, 36 & 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 5951.800 litres liquor was recovered from five vehicles.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from



the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 12-07-2023. Petitioner No. 1 has three criminal antecedents while petitioner No. 2 has four criminal antecedents. There is no compliance of Section 100 of Cr.P.C. Other co-accused have been granted bail by this Court, passed in Cr. Misc. No. 15754 of 2024, Cr. Misc. No. 15376 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chakmehsi PS Case No. 72 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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