

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54596 of 2017

Arising Out of PS.Case No. -70 Year- 2017 Thana -DARIHAT District- SASARAM (ROHTAS)

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1. Jogendra Kumar Singh @ Yuga Singh, Son of Lalchand Singh,
2. Subhash Kumar @ Bhulan @ Bhlan Singh Son of Darbari Singh, Both
R/o Village- Chainpur, P.S.- Darihat, District- Rohtas.

.... Petitioners/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioners/s : Mr. Rajani Kant Singh

For the Opposite Party/s : Mr. Sri Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-11-2017 The petitioners seek regular bail in connection with

Darihat P.S. Case No. 70 of 2017, registered for offences

punishable under Sections 30(A) and 34 of the Bihar Prohibition

and Excise Act, 2016.

Allegation is of recovery of 6 litres of country made

liquor.

It has been submitted on behalf of the petitioners that

they have falsely been implicated in this case. Moreover,

petitioners have sufficiently been punished for the said offence as

they are in custody 09.10.2017. Further submission is that

petitioner no. 1 has three criminal antecedents and petitioner no. 2

has no criminal antecedent.

Heard learned A.P.P. also.



Having heard both sides, considering the facts and circumstances of the case, so far petitioner no. 2 is concerned, he is directed to be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 02nd Additional Sessions Judge cum Special Judge, Excise, Rohtas at Sasaram, in connection with Darihat P.S. Case No. 70 of 2017, subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) It is made clear that if the petitioners again found involved in any of the like offences, in future, prosecution will be free to move for cancellation of his bail bonds.

So far petitioner no. 1 is concerned, considering the fact that he has criminal antecedent as he is accused in three more cases of similar nature, I am not inclined to release petitioner no. 1 at least at this stage. However, the trial court is directed to expedite the trial and try to conclude it within a period of six months and if the trial is not concluded within the aforesaid



period, the court below shall release the petitioner on bail to his own satisfaction.

Accordingly, this application is disposed of with above direction.

(Vinod Kumar Sinha, J)

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