

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38391 of 2019

Arising Out of PS. Case No.-356 Year-2018 Thana- BIHIA District- Bhojpur

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1. BIPIN SINGH @ VIPIN SINGH Son of Raj Nath Singh Resident of Village-Jhauwa, Police Station-Bihiya, District-Bhojpur.
 2. Dhananjay Singh Son of Raj Nath Singh Resident of Village-Jhauwa, Police Station-Bihiya, District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vipin Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 17-07-2019 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in Bihiya P.S. Case No. 356/2018, instituted for offence under Section(s) 30(a)(1) of the Bihar Prohibition and Excise Act, 2016.

Earlier prayer for bail of petitioner was rejected by this Court vide order dated 04.12.2018 passed in Cr. Misc. No. 68018/2018 with liberty to renew prayer for bail after six months in the event no substantive progress is made in trial.

As per written report, 1291.15 litres of foreign liquor has been recovered from the house of petitioners. It is also alleged that huge quantity of foreign liquor has been recovered from the house of Pintu Singh on the basis of information given by the



petitioners that he also indulged in sale and purchase of illicit liquor.

Report from the court below regarding stage of trial has been received, wherein it is mentioned that after framing of charge not a single witness has been examined in this case till date.

Petitioners are in custody since 15.09.2018.

Keeping in view the period of custody spent by the petitioners and trial has not been concluded till date, prayer of the petitioners for grant of bail is allowed. Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge IVth-cum-Special Judge, Excise Act, Bhojpur at Ara, in connection with Bihiya P.S. Case No. 356/2018, subject to the conditions that

- (I) both the bailors shall be the close relative of the petitioners.
- (II) Petitioners shall be present on each and every date fixed by the court and absence on two consecutive dates without valid reason will result in cancellation of bail bond of the petitioners and



(III) if petitioners tamper with the evidence
in the case, prosecution will be at
liberty to move for cancellation of bail
bond of the petitioners.

(Sanjay Priya, J)

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