

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76573 of 2019

Arising Out of PS. Case No.-689 Year-2019 Thana- FATUA District- Patna

-
1. RANJEET KUMAR Son of Lalu Ray Resident of Village - Sukumarpur, Diyara, P.S.- Raghapur, Distt - Vaishali.
 2. Vishal Kumar Son of Chunnu Ray Resident of Village - Sukumarpur, Diyara, P.S.- Raghapur, Distt - Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rudra Deo., Advocate

For the Opposite Party/s : Mr.Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in this case are seeking regular bail in Special Case No. 8790 of 2019 arising out Fatuha P.S. Case No. 689 of 2019 registered for the offence punishable under Section 30(a) of Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that the petitioners have no concern with the Alto Car from which the alleged liquor has been recovered. It is further submitted that the search and seizure has not been followed in accordance with the provision of Section 100 of the Cr.P.C. and the petitioners are in custody since 03.10.2019 having no criminal antecedent.



Learned APP has opposed the prayer of bail.

Considering the facts and circumstances of the case wherein it is the submissions of the petitioners that the alleged Alto Car did not belong to either of the petitioners and the search and seizure was not made in accordance with law and in terms of Section 100 of the Cr.P.C. and seizure was not made in presence of independent witnesses as also that the petitioners have no criminal antecedent and they have remained in custody since 03.10.2019 and the investigation in this case against them is complete, let the petitioners above named be released on bail in Special Case No. 8790 of 2019 arising out of Fatuha P.S. Case No. 689 of 2019 on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly



make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

avin/-

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

