

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4288 of 2020

Arising Out of PS. Case No.-277 Year-2019 Thana- SANDESH District- Bhojpur

1. Manyogi Singh
2. Triyogi Singh
Both Sons of Arjun Singh, Resident of Village- Bardiha (Badiha), P.S.- Sandesh, District- Bhojpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-01-2020 Heard learned counsel for the parties.

Two petitioners seek bail in connection with Sandesh P.S. Case No.277 of 2019, Excise Case no.2563 of 2019 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act .

On the basis of secret information, 40 liters of Mahua liquor is said to have been recovered by the police from Dalan of the petitioners.

It is submitted on behalf of the petitioners that the petitioners have falsely been implicated in this case. It is also submitted that nothing has been recovered from conscious possession of the petitioners, rather it was recovered from a Dalan, which is a joint Dalan, where several persons used to visit and stay. It is further submitted that mandatory provision of Section 100 Cr.P.C. has not



been followed with respect to search and seizure. There is no allegation against the petitioners of tempering with the evidence and the petitioners are in custody since 20.12.2019, having clean antecedent.

Considering the aforesaid facts and circumstances as well as nature of allegation, let the petitioners, named above, 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 learned Additional Sessions Judge-IV -cum- Special Judge, Excise, Bhojpur at Ara in connection with Sandesh P.S. Case No.277 of 2019, Excise Case no.2563 of 2019 on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

nawalkrs/-

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

