

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17367 of 2020**

1. Manish Kumar aged about 24 years male, son of Binod Kumar
2. Krishna Murari aged about 21 years male, son of Shiv Kumar Rai
both resident of Bata Petrol Pump Ramji Chak, P.S.- Digha, District-
Patna..... Petitioners
Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate
For the Opposite Party/s : Mr. Sharda Kumari, APP
Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 13-05-2020 This application has been placed for consideration by

the order of the Hon'ble the Chief Justice through virtual court
proceeding.

The petitioners are seeking regular bail in connection
with Digha P.S. Case No. 32 of 2020 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act, 2016.

It is the case of the petitioners that they have falsely
been implicated in this case due to high handedness of the
Police. It is their further case that they are in custody since
15.01.2020 and investigation against them is complete.

Learned APP for the State has opposed the prayer for
regular bail of the petitioners. It is, however, not the case of the
State that the investigation in this case is not complete and/or



release of the petitioners is at this stage in any way going to affect the trial.

Considering the facts and circumstances of the case wherein it is the case of the petitioners that they are in custody for over more than three months now and there is no chance of tampering with the evidence if the petitioners are released on bail as there is no such submission on behalf of the State, this Court directs release of the petitioners above named on bail in connection with Special Case No. 563 of 2020 arising out of Digha P.S. Case No. 32 of 2020 on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction learned Special Judge, Excise Act, Patna, subject to the conditions as laid down under Section 437(3) of the 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.

And further condition that they will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioners.

This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

