

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17336 of 2020**

1. Pravesh Singh @ Pravesh, aged about 35 years (male), son of Late Surendra Pal Singh, R/o village- Soi / Sohi, P.S.- Pahusu, District- Buland Shahar (U.P.)

2. Sanjeev aged about 32 years male, son of madan Sahu, R/o village- basoma, OP.S.- Ujiyani, District- Badayun (U.P.)

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Satish Chandra Mishra, Advocate

For the Opposite Party/s : Md. Mukesh Kumar Singh, 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.

This is an application for grant of regular bail to the petitioners in connection with Excise Case No. 14 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 are the driver and cleaner of the truck in question from which the alleged liquors are said to have been recovered. It is further case of the petitioners that they have no knowledge about the articles loaded on the truck and they are in custody since 13.01.2020 having no criminal antecedent and investigation against them is



complete.

Learned APP for the State has opposed the prayer for regular bail of the petitioners. It is submitted that the petitioners are resident of State of Uttar Pradesh. It is, however, not the case of the State that the investigation in the 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 the petitioners are in custody since 13.01.2020 having no criminal antecedent, investigation against them is complete 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 Excise Case No. 14 of 2020 on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each. However, one of the sureties will be the local surety being resident of the district of Gopalganj, to the satisfaction learned Additional Sessions Judge II-cum-Special Judge, Excise Act, Gopalganj, 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, or 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'.

