

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18010 of 2020

Arising Out of PS. Case No.-53 Year-2020 Thana- MASAUDHI District- Patna

1. KAMLESH KUMAR Son of Ram Prasad Yadav Resident of Village-Maksudpur, P.S.-Pipra, District-Patna.
2. Chandan Kumar Son of Lalan Singh @ Raj Kumar Verma Resident of Village-Maksudpur, P.S.-Pipra, District-Patna.
3. Ashok Manjhi Son of Late Rameshwar Manjhi Resident of Village-Danara, P.S.-Bhagwanganj, District-Patna.
4. Sukhu Manjhi Son of Late Parmeshwar Manjhi Resident of Village-Danara, P.S.-Bhagwanganj, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Yadav

For the Opposite Party/s : Mr.Md. Mushtaque Alam

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 09-06-2020 Heard learned counsel for the parties.

Petitioners who are in custody seeks bail in a case registered for the offence punishable under Sections 2, 3 and 4 of Mahua Flower Control Act.

Informant in his written report has alleged that on 27/28.01.2020 at about 1:00 pm in the night while he was on patrolling duty along with police personnel, he saw one Pick-up van coming from Masaudhi Gumti side in high speed and when the police party signalled to stop the pick-up van, the driver of



the pick-up van did not stop and at some distance the wheel of pick-up van fell in a ditch and thereafter the four persons boarding the pick-up van tried to flee away but were apprehended after chase. From the pick-up van police recovered 10 bags of Mahua weighing 40 Kg each (Total-400 Kgs).

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case. There is no independent witness to the seizure list. Petitioners have got no concern with alleged Pick-up van. Petitioners have got no criminal antecedent and are in custody since 29.01.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Masaurhi P.S. Case No. 53 of 2020, Special Case No. 994 of 2020**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 bonds shall be cancelled by the



court below.

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

(S. Kumar, J)

ranjan/-

U			
---	--	--	--

