

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17917 of 2020

Arising Out of PS. Case No.-80 Year-2020 Thana- BRAHMPUR District- Buxar

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1. RAJ KUMAR PRASAD Son of Sribhagwan Prasad Resident of Village - Nimez, P.S.- Brahmpur, District - Buxar.
 2. Ritik Kumar Son of Santosh Chaudhary Resident of Village - Nimez, P.S.- Brahmpur, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Nath

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 14-05-2020 (The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners, who are in custody, seeks bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition Excise Amendment Act, 2018.

Allegation is recovery of 57.180 litres of foreign liquor from the motorcycle of the petitioners.

It has been submitted on behalf of petitioners that they are innocent and have been falsely implicated in this case. As



per seizure list allegation is recovery of 57.180 litres but there is error in the order sheet recovery is of 111.18 litres of foreign liquor. Petitioners have no criminal antecedents and are in custody since 13.02.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount to the satisfaction of learned court below, in connection with Brahmpur (Chakki O.P.) P.S. Case No. 80 of 2020 (C.I.S. 219/2020) subject to the conditions that:-

(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 represented on each and every date fixed by the court.

(3) If the petitioners tampers 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.

(4) If the petitioners are found involved in



similar nature of offences, after his release on
bail the trial court shall take steps to cancel their
bail bonds.

(S. Kumar, J)

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