

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19179 of 2020

Arising Out of PS. Case No.-66 Year-2020 Thana- BARBIGHA District- Sheikhpura

1. DIPAK KUMAR @ DEEPAK KUMAR Son of Sudhir Mochi, Resident of Mohalla- Asiyachak Maur, P.S.- Barbigha, Distt- Sheikhpura.
2. Chintu Kumar S/o Sudhir Mochi, Resident of Mohalla- Asiyachak Maur, P.S.- Barbigha, Distt- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr. Binod Kumar No. 3

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 09-06-2020 Heard Dr. Anjani Pd. Singh, learned counsel for the petitioner and Mr. Binod Kumar No.3, learned counsel for the State through Video Conferencing.

In this case, the petitioners are seeking regular bail in connection with Barbigha P.S. Case No.66 of 2020 registered for offence punishable under section 30 (a) of the Bihar Prohibition and Excise Act.

On secret information, the Police reached to the village of the petitioners and found 180 litres of illegal liquor from a semi constructed pit meant for latrine.

The learned counsel for the petitioners submits that on account of previous enmity, the petitioners have been made



accused in the present case, as nothing has been recovered from constructive and conscious possession of the petitioners but they have been framed in the present case due to enmity and they are in jail since 07.03.2020.

Looking to the facts and circumstance of the case, the petitioners are directed to be enlarged on bail on their furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned A.D.J., Sheikhpura in connection with Barbigha P.S. Case No.66 of 2020, subject to the condition that one of the bailors of the petitioners shall be a close relative. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court. If the petitioners are found involved in future in similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of their bail bond.

(Shivaji Pandey, J)

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