

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.20073 of 2020**

Arising Out of PS. Case No.-42 Year-2020 Thana- MOTIPUR District- Muzaffarpur

1. Parmeshwar Rai @ Parmeshwar Ray, S/O Late Rajendra Rai
2. Vikram Kumar, S/O Parmeshwar Rai @ Parmeshwar Ray
3. Ravindra Rai, S/O Late Ranglal Rai
All Resident of Village Panachhapra (Pano Chhapra) P.S. Motipur, District
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratneshwar Prasad, Adv.

For the Opposite Party/s : Mr.Kumar Ranjeet Ranjan, APP

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

2 25-06-2020 Learned counsel for the petitioners undertakes to remove the defects, if any, within three weeks from the date of start of normal functioning of the Court.

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

The petitioners in the present case are seeking regular bail in connection with Motipur P.S. Case No.42 of 2020 registered for the offence punishable under Sections 353 and 120(B) of the Indian Penal Code and Sections 30(a), 41(1) (2) of the Bihar Prohibition and Excise Act, 2016.



Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Learned counsel submits that nothing has been recovered from the conscious possession or residential house of the petitioners.

Learned APP for the State has opposed the prayer for regular bail of the petitioners.

Having regard to the facts and circumstances of the case wherein it is submitted that the petitioner no.1 and petitioner no.2 are father and son, the petitioner no.3 is co-villager, petitioners have remained in custody for more than four months as also that they have no criminal antecedent and at this stage their further continuation in jail is not likely to help in the investigation, let the petitioners above named be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Motipur P.S. Case No.42 of 2020, 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.

The application is allowed.

(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'.

