

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24038 of 2020

Arising Out of PS. Case No.-252 Year-2020 Thana- DIGHA District- Patna

1. RAUSHAN KUMAR S/o Brij Kishor Prasad Resident of Foolwari Huladchak, P.S.- Janipur, District- Patna
2. Ishu Ray S/o Ganeshwar Ray Resident of Purani Panapur, P.S.- Danapur, District- Patna
3. Ram Narayan Das S/O Mahadev Das R/O Patel Nagar, P.S. Shastri Nagar, District - Patna, Permanent Address - Modah Gola, P.S. - Sahiyara, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Jiban Pd. Singh

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-10-2020 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

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

The petitioners seek bail in Digha P.S. Case No. 252 of 2020, Spl Case No. 3398 of 2020, registered for the offence punishable punishable under Sections 468, 469, 471, 188, 272, 273, 414 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act.

90 litres of country made liquor and 30 litres of



foreign liquor are said to have been recovered from one scooty and two tempo.

It is submitted that petitioners have falsely been implicated in this case. Nothing has been recovered from conscious possession of these petitioners. Petitioners are tempo drivers and they have no concern with the recovered wine. Petitioners are in custody since 08.05.2020 having clean antecedent as stated in para 3 of the petition.

Considering the facts and circumstances of the case, the petitioner above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Patna in connection with Digha P.S. Case No. 252 of 2020, Spl Case No. 3398 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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