

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22112 of 2020

Arising Out of PS. Case No.-68 Year-2020 Thana- JAGDISHPUR District- Bhagalpur

1. VIZAY BAHADUR SINGH S/o Chandrika Bakash Singh @ Chandrika Vats Singh Resident of Village- Sarai Mahesha, P.S.- Jaisa, Distt- Amethi (Uttar Pradesh)
2. Dharmendra Mishra S/o Rajendra Parasad @ Rajendra Resident of Village- Goidar, Hanumana, P.S.- Anmana, District- Reeva (Madhya Pradesh)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishwajeet Singh
For the Opposite Party/s : Mr.Ram Priya Saran Sinah, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-09-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

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

The petitioners seek bail in a case instituted for the offences under Sections 420, 467, 468, 34 of the Indian Penal Code read with sections 30(a), 30(d), 37(b) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 18600 kg of spirit along with 1785.525 liters wine is recovered.



It has been submitted on behalf of the petitioners that the petitioners are in custody since 20.02.2020 and have got no criminal antecedent. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioners. It is alleged that 18600 kg of spirit along with 1785.525 liters wine is recovered from two different trucks. The petitioners are drivers of the trucks in question. They had no knowledge regarding the nature of goods booked by the transporter. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the facts and circumstances of the case and also the lockdown, the petitioners above named, are directed to be released on bail on their personal bonds to the satisfaction of learned Additional Sessions Judge -II-cum Special Judge, Excise, Bhagalpur in connection with Jagdishpur P.S. Case No. 68/2020.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each within a period of four weeks to the satisfaction of the Court concerned in connection



with the aforesaid case.

(Sudhir Singh, J)

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