

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23194 of 2020

Arising Out of PS. Case No.-208 Year-2019 Thana- DAWATH District- Rohtas

1. Gurudeep Singh @ Gurdeep Singh Son of Late Sardar Sajjan Singh Resident of Village - Jirakpur, P.S.- Jirakpur (Derabansi), Dist.- Mohali, Punjab.
2. Manmohan Singh Son of Late Sant Singh Resident of Village - Jirakpur, P.S.- Jirakpur (Derabansi), Dist.- Mohali, Punjab.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Pandey

For the Opposite Party/s : Mr.Dinesh Singh,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 09-09-2020 Heard learned counsel for the petitioners as well as learned A.P.P. for the State through video conferencing.

The petitioners seek bail in Dawath P.S. Case No. 208 of 2019, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per F.I.R., altogether 4112.64 liters of country-made liquor are said to have been recovered from four different vehicles

It is submitted on behalf of petitioners that petitioners are innocent and have falsely been implicated by the police. It is further submitted that nothing has been recovered from the conscious possession of the petitioners. Petitioners are driver



and khalasi respectively and they had no knowledge about the consignment, which were loaded in their vehicle. In this case, Section 100 Cr.P.C. has not been followed with respect to search and seizure. The petitioners are in custody since 22-12-2019, having no criminal antecedent.

Considering the aforesaid facts and circumstances, the bail application is allowed.

Let the above-named petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge – II cum Special Judge Excise, Rohtas at Sasaram in connection with Dawath Case No. 208 of 2019 on the following conditions:

“(1) Petitioners shall cooperate 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 on their absence on two consecutive dates without sufficient reason, their bail-bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

anay

U		T	
---	--	---	--

