

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.27307 of 2020**

Arising Out of PS. Case No.-50 Year-2020 Thana- SANGRAMPUR District- East
Champaran

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1. AZIM ALAM S/o Mahamaddin Miyan @ Mahmaddin Miyan Resident of Village-Janerwa, P.S.-Govindganj, District-East Champaran.
 2. Nazim Alam S/o Mahamaddin Miyan @ Mahmaddin Miyan Resident of Village-Janerwa, P.S.-Govindganj, District-East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

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

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

2 20-10-2020 Learned counsel for the petitioners undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and Mr. Manoj Kumar, learned A.P.P. for the State.

Petitioners in the present case are seeking regular bail in connection with Sangrampur P.S. Case No. 50/2020 registered for the offences under Sections 30(a), 32 and 41(1) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that while the petitioners were going for their personal work on their brother's motorcycle and on way the informant asked them to



produce paper and demanded some illegal money which were refused whereupon they have been framed in this case and the motorcycle has been seized showing recovery of liquor. The petitioners are in custody since 11.03.2020, they have no other criminal antecedent.

Learned A.P.P. for the State has though opposed the prayer for regular bail of the petitioners, considering that the petitioners are in custody for over seven months, investigation against them is complete and at this stage there is no submission on behalf of the State that release of the petitioners is likely to interfere with the course of trial, let the petitioners above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Motihari, East Champaran, in connection with Sangrampur P.S. Case No. 50/2020, subject to the condition as laid down under Section 437 (3) 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 the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.

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.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.

