

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27570 of 2020

Arising Out of PS. Case No.-242 Year-2020 Thana- GARKHA District- Saran

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1. UMA SHANKAR RAI S/O Kamal Ray Resident of Village - Janki Nagar, P.S. - Garkha, District - Saran at Chapra.
 2. Dinesh Kumar S/O Uma Shankar Ray Resident of Village - Janki Nagar, P.S. - Garkha, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 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 Garkha P.S. Case No. 242 of 2020, registered for the offence punishable punishable under Sections 30, 30(a), 37(c) and 41 of the Bihar Prohibition and Excise Act, 2016.

197.250 litres of foreign liquor is said to have been recovered from the house of petitioners.

It is submitted that petitioners have falsely been implicated in this case. Nothing has been recovered from



conscious possession of these petitioners. From perusal of seizure list it is apparent that the alleged recovery has been made from behind the house of petitioners. Petitioners are in custody since 09.06.2020 having clean antecedent as stated in para 3.

Considering the facts and circumstances of the case, the petitioners 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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra in connection with Garkha P.S. Case No. 242 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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