

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24019 of 2020

Arising Out of PS. Case No.-201 Year-2020 Thana- TAJPUR District- Samastipur

1. Upendra Ray @ Upendra Rai Son of Ram Vilash Rai @ Ram Vilas Ray R/V- Dadpur Chaknoor, P.S.- Samastipur (Muffasil), District - Samastipur
2. Jagarnath Kumar Son of Ram Karan Rai @ Ramkaran Ray R/V- Dadpur Chaknoor, P.S.- Samastipur (Muffasil), District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Ram Priya Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 17-09-2020 Heard learned counsel for the petitioners and learned A.P.P. for the State through Video Conferencing.

The petitioners seek bail in Tajpur P.S. Case No. 201 of 2020, registered for the offence punishable under Sections 30(a), 41(1), 41(2) of Bihar Prohibition and Excise Act 2016.

As per prosecution case, huge quantity of illicit liquor is alleged to have been recovered from a 4-wheeler, bearing registration no. UP16AT/7330, and all the three persons including petitioners were apprehended on the spot.

It is submitted on behalf of the petitioners that petitioners are innocent and have committed no offence and have falsely been implicated in this case. Nothing has been



recovered from the conscious possession of the petitioners and they are no way related with the said recovery. Petitioners are neither owner nor driver of the vehicle, from which, aforesaid recovery has been effected. Petitioners are in custody since 11-06-2020, having clean antecedent.

Considering the aforesaid facts, both petitioners above-named are directed to 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 the learned Addl. Sessions Judge 2nd cum Special Judge (Excise), Samastipur in connection with Tajpur P.S. Case No. 201 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-bonds 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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