

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25536 of 2020

Arising Out of PS. Case No.-155 Year-2020 Thana- CHAINPUR District- Kaimur (Bhabua)

1. Santosh Ram, S/o Ram Surat Ram, Resident of Village-Shivpur, P.S-Chainpur, District-Kaimur at Bhabua.
2. Ramesh Ram, S/o Marachhu Ram, Resident of Village-Shivpur, P.S-Chainpur, District-Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 28-09-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

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

The petitioners seek bail in connection with Chainpur P.S. Case No.155 of 2020 instituted for the offence punishable under Sections 30(a), 30(d) of the Bihar Prohibition and Excise



(Amendment) Act, 2018.

35 litres country-made liquor has allegedly been recovered from the motorcycle being driven by the petitioners.

It is submitted by the petitioners' counsel that the allegation is false. The petitioners have wrongly been implicated. They are in custody since 26.05.2020 and have no criminal antecedents.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow petitioners' prayer for bail.

Accordingly, let both the petitioners, above named, 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 Additional Sessions Judge-5th-Cum-Special Judge, Excise, Kaimur at Bhabua, in connection with Chainpur P.S. Case No.155 of 2020, subject to the following conditions:

(i) That one of the bailors of each of the petitioners will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.



(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

This Court would expect that the petitioners’ counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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