

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69792 of 2019

Arising Out of PS. Case No.-108 Year-2019 Thana- DEO District- Aurangabad

1. RAMASHISH SINGH @ RAM SHISH SINGH Son of Late Lakhan Singh Resident of Village- Bisoonpur, Police Station- Deo, District- Aurangabad.
2. Suraj Kumar Son of Ram Ashis Singh @ Ram Shish Singh Resident of Village- Bisoonpur, Police Station- Deo, District- Aurangabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ram Narayan Mahto
For the Opposite Party/s : Mr.Kanhaiya Kishore

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in this case are seeking regular bail in connection with Deo P.S. Case No. 108 of 2019 registered for the offence punishable under Section 30(a) of Bihar Prohibition & Excise Act.

Learned counsel for the petitioners submits that the alleged recovery has been made from a house which is in joint possession of petitioners and co-accused Anil Kumar. The petitioners are father and brother of co-accused Anil Kumar. The petitioners are separate in mess and business having common courtyard in the house. The petitioners are in custody since 30.08.2019 having no criminal antecedent and investigation against them is complete.



Learned APP for the State has opposed the prayer of regular bail of the petitioners.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioners that the petitioner no. 1 and 2 are the father and brother respectively of co-accused Anil Kumar who is living separately but in the same *angan* (courtyard) of the house being co-parcener and the co-sharer and that the recovery has been allegedly made from the house of said Anil Kumar and not from these petitioners as also these petitioners have remained in custody since 23.08.2019, there being no criminal antecedent and the investigation being complete, chargesheet filed, let the petitioners above named be released on bail in connection with Deo P.S. Case No. 108 of 2019 on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VII-cum-Special Judge (Excise), Aurangabad 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.

(Rajeev Ranjan Prasad, J)

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