

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74130 of 2019

Arising Out of PS. Case No.-620 Year-2019 Thana- TURKAULIYA District- East
Champaran

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1. Sanjeev Kumar Ray @ Sanjeev Kumar Rai, son of Hiranman Ray resident of village- Chiutahi, P.S. Tukauliya, District East Champaran
 2. Ranjit Kumar Ray @ Ranjit Kumar, Son of Birendra Ray, resident of village Shankar Saraiya Parsauna, P.S. Tukauliya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar
For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-01-2020 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Section 272, 273, 34 of the Indian Penal Code and Section 30(a)/38(1), 41(1) of the Bihar Excise and Prohibition Act, 2016.

Allegation is recovery of 1435 liters of spirit from the sugarcane field of Rajeshwar Singh and 35 liters of spirit from one motorcycle. Petitioners have been made accused as they fled away from place of occurrence and were identified in the



light of police jeep.

It has been submitted on behalf of the petitioners that they are innocent and have falsely been implicated in this case. Neither petitioners have been apprehended on the spot nor any illicit liquor have been recovered from their possession or from their house. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on anticipatory bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Turkauliya P.S. Case No. 620 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel their bail bond.

(3) If the petitioners tampers 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.



(4) If the petitioners are found involved in similar nature of offences, after their release on bail the trial court shall take steps to cancel his bail bonds.

(S. Kumar, J)

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