

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83280 of 2019

Arising Out of PS. Case No.-352 Year-2019 Thana- BUDDHACOLONY District- Patna

1. Lal Babu Son of Ram Das Bhagat, Resident of Village - Mitra Mandal Colony, P.S.- Phulwari Sharif, Distt.- Patna.
2. Deepak Kumar Singh @ Arpit Raj Son of Vijay Kumar Singh, Resident of Village - Rajiv Nagar Road No.13, P.S.- Rajiv Nagar, Distt.- Patna.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-01-2020 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners in the present case are seeking regular bail in connection with Special Case No. 9230 of 2019 arising out of Budha Colony P.S. Case No. 352 of 2019 registered for the offences punishable under Sections 272, 273, 414, 34 of the Indian Penal Code and Sections 30(a), 37(b)(c) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is further submitted that nothing has been recovered from the possession of the petitioners and the seized Scorpio car does not belong to the petitioners. The petitioners are



in custody since 18.10.2019.

Learned A.P.P. for the State has opposed the prayer for 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 seized Scorpio from which illicit liquor has been recovered does not belong to these petitioners and they were allegedly arrested when they were sitting in the Scorpio in drunken condition and that the petitioners are in custody since 18.10.2019, let on completion of 3 months of custody the petitioners above named be released on bail in connection with Special Case No. 9230 of 2019 arising out of Budha Colony P.S. Case No. 352 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna, 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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