

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84907 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- NAYAGAON District- Begusarai

1. Keshav Kumar aged about 28 years, Male, son of Late Ram Rekha Singh
2. Aryan Kumar @ Murlidhar aged about 25 years, Male, son of Pappu Singh
@ Major
Both resident of village Balahpur, P.S. - Nayagaon, District – Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vikramdeo Singh

For the Opposite Party/s : Mrs. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-01-2020 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners in the present case are seeking regular bail in connection with Nayagaon P.S. Case No. 40/2019 registered under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioners submits that although there are criminal antecedents of the petitioners as stated in paragraph '3' of the present application but they are not accused in similar offence and in all those cases they are on bail. So far as this case is concerned, it is submitted that they have been falsely implicated only because of their criminal antecedents and police did not recover any illicit liquor from



their possession. The allegation is that these petitioners fled away from the place of recovery after seeing the police party. Learned counsel further submits that the petitioners are in custody since 01.11.2019 and by now the investigation is complete, charge-sheet has already been filed against these petitioners.

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

Considering the facts and circumstances wherein it is the submission of learned counsel for the petitioners that there is no recovery from the possession of these petitioners and they have been made accused only because of their criminal antecedent and police has involved them in this case on frivolous allegations, let the above-named petitioners be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – IInd – cum – Special Judge, Excise Act, Begusarai, in connection with Nayagaon P.S. Case No. 40/2019, 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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