

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16088 of 2021

Arising Out of PS. Case No.-13 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Kishanganj

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1. RAJIV RAI, S/o DEVENDRA RAI, R/o village- Fushar, P.S.- Mahua, Distt.- Vaishali
 2. PANKAJ RAI, S/O RAM NARAYAN RAI R/o village- Fushar, P.S.- Mahua, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 20-07-2021 Let the defects be removed within four weeks of the
start of the physical Court.

Heard the parties in virtual Court..

The petitioners are languishing in custody for the
offence punishable under Sections 30(a) and 56(d) of the Bihar
Prohibition and Excise Act.

Allegation is of recovery of liquor.

Submission is that there is non-compliance of
mandate of Section 100 Cr.P.C. in the matter of search and
seizure. Petitioners have stated on oath that they have got no
criminal antecedent. Petitioners are in custody since 21.12.2020.
Investigation of the case is already complete.

Considering the facts aforesaid, let the petitioners,



above named, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Special Case No. 381 of 2020, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioners shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(c) The petitioners shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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