

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18891 of 2021

Arising Out of PS. Case No.-80 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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1. BITTU KUMAR SON OF SRI ARJUN PRASAD RESIDENT OF MOHALLA KHEMINICHAK PS - RAMKRISHNA NAGAR DIST-PATNA
 2. SHANKAR KUMAR SON OF KRISHNA KUMAR RAUT RESIDENT OF MOHALLA -KHEMINICHAK PS -RAMKRISHNA NAGAR DIST-PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amaresh Kumar
For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-07-2021 This matter is taken up for consideration through Video Conferencing.

Heard learned counsel for the petitioners and the State.

The petitioners pray for grant of bail in a case registered for the offence punishable under section 30(a) of Bihar Prohibition and Excise Act.

As per prosecution case, 330 liters country made liquor has been recovered from the Tempo and these petitioners who were occupants of the vehicle were apprehended on the spot.

It is submitted on behalf of petitioners that nothing has been recovered from the possession of petitioners and they are simply co-passengers. Petitioners have got clean antecedent and



are in custody since 27.10.2020.

Learned counsel for the State opposes the prayer for bail.

Considering the fact that nothing has been recovered from the possession of the petitioners couple with the fact that they have clean antecedent, this bail application is allowed. Let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise Act, Patna in Special Case no. 6376/2020 arising out of P.R. Bypass Case no. 80/2020 on the following conditions.

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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