

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20257 of 2021**

Arising Out of PS. Case No.-167 Year-2020 Thana- SONBERSA District- Sitamarhi

1. Sita Sharan Kumar S/O Kapal Ray @ Kapil Rai R/o village- Simara, Ward No. 4, P.S.- Dumra, District- Sitamarhi
2. Hanuman Kumar S/o Bhagwan Rai R/o village- Vishwanathpur, P.S.- Dumra, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Umeshnand Pandit A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2. 13-07-2021                      Heard learned counsel for the parties through video conferencing.

The petitioners seek bail in Sonbarsa P.S. Case No. 167 of 2020, registered for the offence under Sections 272, 273, 414, 504, 506, 353, 34 of the I.P.C. and Section 30(a) of Bihar Prohibition and Excise Act.

214 liters of Nepali Saufi Wine has been recovered from a Scorpio and the petitioners, who were on motorcycle, were escorting the Scorpio vehicle.

It is submitted on behalf of petitioners that nothing has been recovered from the conscious possession of the petitioners. Petitioners are neither owner nor driver of the said



Scorpio vehicle. Petitioners claim clean antecedent and are in custody since 01.09.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the nature of allegation and period of custody, the bail petition of petitioners is allowed. Let the above named petitioners be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-II cum Special Judge, Excise Act, Sitamarhi in connection with Sonbarsa P.S. Case No. 167 of 2020, on the following conditions:

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