

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.19544 of 2021**

Arising Out of PS. Case No.-279 Year-2020 Thana- DURGAWATI District- Kaimur (Bhabua)

1. VINOD KUMAR SON OF LATE ASHNARAYAN CHAUDHARY
Resident of Village - Redhiya, P.s.- Kargahar, (O.P. Badhhari), Distt.-
Rohtas.
2. SAURABH KUMAR Son of Birbal Ram Resident of Village - Laheri, P.s.-
Kochas, Distt.- Rohtas.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Satish Kumar Giri, Advocate
For the Opposite Party/s : Ms. Asha Devi, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 13-08-2021 Learned counsel for the petitioners undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and Ms.

Asha Devi, learned APP for the State.

The petitioners in the present case are seeking regular

bail in connection with Durgawati P.S. Case No. 279 of 2020

registered for the offences punishable under Sections 30(a) of

Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioners submits as per the

prosecution story, the informant during the routine checking of

vehicles, searched a motorcycle and recovered 168.120 liters of

illicit liquor and arrested accused persons.

Learned counsel submits that the petitioners are innocent and has falsely been implicated in the present case. It is submitted that the petitioners have no concern with the allegedly recovered illicit liquor. The petitioners are in custody since 2.11.2020 having no criminal antecedent.

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

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioners that total 168.120 litres of liquor were recovered from a motorcycle, the petitioners have remained in custody in connection with this case since 2.11.2020, they have no criminal antecedent, investigation against them is complete but the trial is not likely to take place in near future, this Court directs release of the petitioners above named on bail on furnishing of bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd cum Spl. Judge Excise, Kaimur at Bhabua in connection with Durgawati P.S. Case No. 279 of 2020, subject to the conditions as laid down under Section 437(3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

SONALI/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.