

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20396 of 2021

Arising Out of PS. Case No.-227 Year-2020 Thana- SIRDALA District- Nawada

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1. Birendra Prasad @ Biru Son Of Umesh Prasad R/O Village- Phusmahri, P.S.- Sirdalla, District- Nawada.
 2. Devchandra Yadav Son Of Late Ramkeshwar Yadav R/O Village- Phusmahri, P.S.- Sirdalla, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mr. Yogendra Kumar 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 Sirdalla P.S. Case No. 227 of 2020, registered for the offence under Section 30(a)/41 of Bihar Prohibition and Excise Act.

On a secret information, a raid was conducted and 2000 liters of fermented Mahua was recovered from a bush near the village and these petitioners are alleged to have fled away after seeing the police party.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. The recovery has been made from from a public place.



Petitioners are in custody since 26.11.2020.

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 2nd Addl. District & Sessions Judge-cum-Special Judge, Nawada in connection with Sirdalla P.S. Case No. 227 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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