

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.22615 of 2021**

Arising Out of PS. Case No.-289 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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1. SHARWAN THAKOOR @ SHARWAN KUMAR Son of Jaypal Thakur
Resident of Village - arpagora, P.S. - Hilsa, District - Nalanda.
 2. Rajesh Kumar Son of Umesh Sharma Resident of Village - Panditpur, P.S. -
Rajgir, District - Nalanda.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan Kumar, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd.(APP)

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

2 16-08-2021 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 Mr. Braj
Kishore Pd., learned APP for the State.

The petitioners in the present case are seeking regular

bail in connection with G.O. Case No. 289 of 2020 registered

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

Prohibition and Excise Act.

Learned counsel for the petitioners submits that the

informant along with other police personnel on secret informant

stopped a Hyundai Santro Vehicle and on search of the said

vehicle total 90 liters of country-made liquor was recovered and

arrested the petitioners.

Learned counsel submits that the petitioners are innocent and have 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 03.12.2020 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 90 liters of illicit liquor is said to have been recovered from Hundai Santro Vehicle, they have remained in custody in connection with this case since 03.12.2020 having 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) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II cum Special Judge, Excise, Nawada in connection with G.O. Case No. 289 of 2020.

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 petitioners have concealed their 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)

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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'.