

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21968 of 2021**

Arising Out of PS. Case No.-349 Year-2020 Thana- BOCHAHAN District- Muzaffarpur

1. VIKRAM KUMAR S/o Tek Narayan Ray Resident of Village - Medha, P.S. - Keoti, Dist. - Darbhanga.
2. Bipin Kumar S/O Late Dukhi Yadav Resident of Village - Medha, P.S. - Keoti, Dist. - Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Kumar Rajeev

For the Opposite Party/s : Mr.Parmanand Kumar

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

2      16-07-2021                      This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioners and learned A.P.P for the State.

The petitioners seek bail in Bochahan P.S. Case No. 349 of 2020, registered for the offence punishable punishable under Sections 272, 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

29.040 litres of foreign liquor has been recovered from a silver colour Car and petitioners who were occupants of the car apprehended on the spot.



It is submitted that no recovery has been made from conscious possession of these petitioners. Petitioners were simply co-passenger and were not aware about the nature of consignment. Petitioners have no concern with the seized liquor and they are in custody since 25.12.2020.

Considering the period of custody, the petitioners above-named, are directed to be enlarged 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 the learned Special Judge Excise, Muzaffarpur in connection with Bochahan P.S. Case No. 349 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

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

**(Prabhat Kumar Singh, J)**

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