

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23845 of 2021**

Arising Out of PS. Case No.-301 Year-2020 Thana- GAIGHAT District- Muzaffarpur

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1. DAUD NABI Son of Ayub Nabi Resident of Village Mojjampur, P.s. Weldahna, District - Murshidabad (West Bengal).
  2. GUDDU VISHWAS @ GUDDU @ GUDDU VIWASH Son of Kanu Viwas Resident of Village – Cha kda, P.S.- Chakda, District - Nadiyan (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Suresh Pd. Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

**ORAL ORDER**

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

4      23-06-2021

Heard learned counsel for the parties.

Petitioners seeks bail in a case registered for the offence punishable under Sections 272,273,414,420,467,468,471,120(B) of Indian Penal Code and Sections 30(a),41,56(b) of the Bihar Prohibition & Excise Act.

Allegation is recovery of 8000 litres spirit and 750 ml. foreign liquor from a truck which was being driven by the petitioners.

It has been submitted on behalf of the petitioners that

petitioners are innocent and have falsely been implicated in this case. It is further submitted that petitioner no.1 is driver and petitioner no.2 is cleaner of the said truck and they have nothing to do with the recovered spirit or liquor. Petitioners have no criminal antecedent and they are in custody since 28.09.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail, **after completing one year in judicial custody,** upon furnishing bail bond of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Gaighat P.S. Case No.301 of 2020 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) 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.

(4) If the petitioners are found involved in similar

nature of offences, after their release on bail the trial court shall  
take steps to cancel their bail bonds.

**(S. Kumar, J)**

Sanjay/-

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