

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25947 of 2021

Arising Out of PS. Case No.-26 Year-2021 Thana- RIGA District- Sitamarhi

1. SURAJ KUMAR Son of Vinod Mahto Resident of Village - Basdeopur, P.S.-
Manjhol, Distt.- Begusarai.
2. Deepak Kumar Son of Ram Singh Resident of Village - Barouli, P.S.- Bilari
baniya Dhel, Distt.- Muradabad (U.P.)

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-11-2021 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding

in physical mode in normal course.

Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioners seek bail in connection with Riga

P.S. Case No. 26 of 2021 registered for the offence under

Sections 272, 273 and 414 of the Indian Penal Code and

Section 30(a) of the Bihar Prohibition and Excise

(Amendment) Act,2018.

Recovery is of 207 liters of illicit wine.

Learned counsel appearing for the petitioners



submits that the petitioners, who are of clean antecedent, are innocent and have not committed any offence. Although the petitioners have been named in the F.I.R. but nothing has been recovered from their house or their conscious possession. They are rotting in judicial custody since 14.01.2021.

Learned A.P.P. for the State has opposed the prayer for bail of these petitioners.

Considering the facts and circumstances of the case, 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 Additional District and Sessions Judge-II -cum- Special Judge, Excise, Sitamarhi in connection with Riga P.S. Case No. 26 of 2021 with the following conditions:.

(1) 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 on their absence on two consecutive dates without sufficient reason, their bail bonds shall be canceled 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.

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 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.

(Rajesh Kumar Verma, J)

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