

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26477 of 2021

Arising Out of PS. Case No.-14 Year-2021 Thana- DUMRA District- Sitamarhi

-
-
1. MITHU KUMAR S/O LATE SATYENDRA SAH R/O VILLAGE-HARSINGPUR, P.S. RUNNISAIDPUR, DISTRICT SITAMARHI
 2. ARUN KUMAR S/O DEVENDRA SAH R/O VILLAGE-HARSINGPUR, P.S. RUNNISAIDPUR, DISTRICT SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Murad Ashraf
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-07-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under Section 414 of the Indian Penal Code and under Section 30 (a) of the Bihar Prohibition & Excise Act.

As per the prosecution case, 1082 liters of foreign liquor was recovered from of a pick up van and three accused persons were arrested on the spot who disclosed the name of petitioners and other accused persons, who procured illicit wine on the truck.

Learned counsel appearing for the petitioners submits that petitioner is innocent and has falsely been implicated in the case. No incriminating article has been recovered from the



conscious possession of the petitioners and the petitioners have been made accused on the basis of confessional statement of co-accused. Petitioners are in custody since 14.01.2021.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioners, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II-cum- Special Judge, Excise Act, Sitamarhi in connection with Dumra PS case No. 14/2021 on 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 his/ her absence on two consecutive dates without sufficient reason, his/her 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.

BKS/-

U		T	
---	--	---	--

(Prabhat Kumar Singh, J)

