

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26138 of 2021

Arising Out of PS. Case No.-27 Year-2021 Thana- RAMGARH District- Kaimur (Bhabua)

1. Sujeet Kumar Singh Yadav @ Ramakant Singh Son Of Rajendra Singh R/O Village- Sonbarsa, P.S.- Navanagar, District- Buxar.
2. Dhiraj Pandey Son Of Nagendra Pandey R/O Village- Goh Bharauli, P.S.- Simari, District- Buxar. Present Village- Sonbarsa, P.S.- Navanagar, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Malti Kumari

For the Opposite Party/s : Mr. Shailendra Kumar -1 A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioners seek bail in Ramgarh P.S. Case No. 27 of 2021, corresponding to Excise Case No. 103 of 2021, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

439 liters & 500 ml. of illicit foreign liquor has been recovered from a car and these petitioners were apprehended on spot.

It is submitted on behalf of petitioners that nothing has been recovered from the conscious possession of the petitioners. Petitioners are neither owner nor driver of the said car. They were simply co-passengers and were not aware about the nature of consignment. Petitioners are in custody since



31.01.2021.

Learned A.P.P. for the State has opposed the bail petition.

Considering the nature of allegation and period of custody, the bail petition of petitioners is allowed. 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 2nd Addl. Sessions Judge cum Special Judge, Kaimur, Bhabhua in connection with Ramgarh P.S. Case No. 27 of 2021, corresponding to Excise Case No. 103 of 2021, on the following conditions:

“(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on their absence on two consecutive dates without sufficient reason, their bail-bonds 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.”

(Prabhat Kumar Singh, J.)

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