

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28673 of 2021

Arising Out of PS. Case No.-27 Year-2021 Thana- SITAMARHI District- Sitamarhi

1. Rajan Kumar @ Chipwa S/O Ratan Sah R/O Village-Koat Bazar, Ward No. 12, P.S.-SITAMARHI, District-Sitamarhi.
2. Gulo Kumar @ Vikram Kumar S/O Ratan Sah R/O Village-Koat Bazar, Ward No. 12, P.S.-SITAMARHI, District-Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-08-2021 This matter is taken up for consideration through
Video Conferencing.

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

The petitioners seek bail in Sitamarhi P.S. Case No.
27 of 2021, registered for the offence punishable punishable
under Sections 414, 34 of the Indian Penal Code and sections
30(a)/36 of the Bihar Prohibition and Excise Act, 2016.

50.040 litres of foreign liquor has been recovered
from tempo and motorcycle which were parked at the house of
co-accused Sandip Sharma. Petitioners along with co-accused
are alleged to have fled away from the place of occurrence after
seeing the police party.



It is submitted that no recovery has been made from conscious possession of these petitioners. Recovery has been made from the vehicles which were parked at the house of co-accused Sandip Sharma. Petitioners are in custody since 10.01.2021 having no criminal antecedent, as stated in para 3 of the petition.

Considering the fact that no recovery has been made from conscious possession of the petitioners and they are having clean antecedent, 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 Additional District & Sessions Judge II-cum-Special Judge (Excise Act), Sitamarhi in connection with Sitamarhi P.S. Case No. 27 of 2021, 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)

vinita/-

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

