

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28725 of 2021

Arising Out of PS. Case No.-133 Year-2020 Thana- DANDARI District- Begusarai

1. MITHU KUMAR @ MITHU YADAV Son of Sulo Yadav Resident of Village - Pratarpur, P.S.- Dandari, Distt.- Begusarai.
2. Satan Yadav Son of Late Ramji Yadav Resident of Village - Pratarpur, P.S.- Dandari, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Chandra
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-08-2021 Heard learned counsel for the petitioner and the State.

Petitioners seek regular bail in a case registered for the offence punishable under Section 272, 273 of the Indian Penal Code and under Section 30 (a) of the Bihar Prohibition & Excise Act.

As per the prosecution case, 100 liters of country made liquor has been recovered from the field of Kapildeo Singh. The petitioners along with other accused persons are alleged to have fled away after seeing the police.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioners and they are in no way concerned with the alleged recovery. Petitioners claim clean



antecedent and are in custody since 04.02.2021.

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, Begusarai in connection with Dandari PS case No. 133/2020 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/-

(Prabhat Kumar Singh, J)

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

