

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30403 of 2021

Arising Out of PS. Case No.-32 Year-2021 Thana- GOGRI District- Khagaria

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1. SUNIL KUMAR SAH S/O SADHU SAH RESIDENT OF VILLAGE LAXMIPUR, P.S GOGRI, DISTRICT-KHAGARIA.
 2. RATAN KUMAR S/O SADHU SAH RESIDENT OF VILLAGE LAXMIPUR, P.S GOGRI, DISTRICT-KHAGARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddhartha Kumar Singh

For the Opposite Party/s : Smt. Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 21-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioners seek bail in Gogri P.S. Case No. 32 of 2021 (G.R. No. 236 of 2021) registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

99 liters of foreign liquor has been recovered from the field of Ravin Yadav.

It is submitted on behalf of petitioners that nothing has been recovered from the conscious possession of the petitioners. The recovery has been made from the field of Ravin Yadav and petitioners have got no concern with the same. Petitioners have got clean antecedent and they are in custody



since 19.01.2021. Chargesheet has been submitted.

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 Special Judge Excise, Khagaria in connection with Gogri P.S. Case No. 32 of 2021 (G.R. No. 236 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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