

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31715 of 2021

Arising Out of PS. Case No.-97 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Jamui

-
1. Lav Kush Kumar S/O Late Jagdeo Prasad Gupta R/O Village-Mahadeopur (Nawagarhi), P.S.-Muffasil (Munger), District-Munger.
 2. Mithun Kumar S/O Barku Mandal @ Bauku Mandal R/O Village-Sabaour, P.S.-Sabour, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha

For the Opposite Party/s : Mr.Anuj Kumar Sriavastava

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioners seek bail in Case No. 97C2 of 2021, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

198 liters of country-made liquor has been recovered from a Piaggio Auto, of which, petitioner no. 1 is driver and petitioner no. 2 is cleaner.

It is submitted on behalf of petitioners that nothing has been recovered from the conscious possession of the petitioners. Petitioners were unaware about the nature of consignment, which was being transported on the vehicle.



Petitioners have got clean antecedent and are in custody since 10.03.2021.

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 A.D.J. - IInd, Jamui in connection with Case No. 97C2 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-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.”

(Prabhat Kumar Singh, J.)

anay

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

