

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33372 of 2021

Arising Out of PS. Case No.-1293 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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1. SATYENDRA KUMAR YADAV Son of Manshi Rai @ Munshi Rai Resident of Village- Goriya Chapra, P.S.- Rivilganj, District- Saran at Chapra.
 2. Mithalesh Mahto Son of Jaglal Mahto Resident of Village- Magaidih, P.S.- Chapra Mufassil, District- Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar Singh
For the Opposite Party/s : Mr.Mohmmad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 14-09-2021 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 Excise Case No. 1293 of
2020 CIS No. 1293 of 2020, registered for the offence
punishable punishable under Section 30(a) and (c) of the Bihar
Prohibition and Excise Act, 2018.

1750 litres of country made liquor has been recovered
from Mahindra Pickup van and petitioners were apprehended
who were sitting inside the vehicle.

It is submitted that no recovery has been made from



conscious possession of this petitioners. Petitioners are neither owner nor driver of the vehicle in question and they were not aware about the nature of consignment. Petitioners have no concern with the seized liquor and they are in custody since 18.12.2020. Investigation is complete.

Considering the period of custody, 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 and Sessions Judge II-cum-Special Judge Excise, Aurangabad in connection with Excise Case No. 1293 of 2020 CIS No. 1293 of 2020, 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)

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