

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37168 of 2021**

Arising Out of PS. Case No.-27 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Khagaria

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1. Ranjan Paswan S/O Late Chhote Lal Paswan R/O Village-Kamalpur, Ward No.20, P.S- Khagaria, District-Khagaria.
 2. Tempu Paswan S/O Late Bindeshwari Paswan R/O Village-Kamalpur, Ward No.20, P.S- Khagaria, District-Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Vivek

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 28-09-2021 At the outset, counsel for petitioners seeks permission to make correction in the father's name of petitioner no. 1.

Permission is accorded and the same may be corrected during course of the day.

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

The petitioners seek bail in Excise Case No. 27C 3 of 2021, registered for the offence punishable punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

04 litres of Mahua liquor has been recovered from possession of petitioner no. 1 and 05 litres of Mahua liquor has been recovered from possession of petitioner no. 2.



It is submitted that no recovery has been made from conscious possession of petitioners. In para 3 of the petition it is stated that petitioner no. 1 has got criminal antecedent and he is accused in 03 cases and petitioner no. 2 is accused in 05 cases. Petitioner is in custody since 10.03.2021. Chargesheet has already been submitted.

Considering the quantity of recovery and 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 Special Judge (Excise), Khagaria in connection with Excise Case No. 27C 3 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)

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