

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36898 of 2021

Arising Out of PS. Case No.-51 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

-
1. BINAY KUMAR S/o Dinesh Yadav R/o village- Patroon, P.S.- Gogri,
District- Khagaria
 2. MILAN KUMAR S/o Nagender Yadav R/o village- Chhoti Bandehra, P.S.-
Pasraha, 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 : Mr.Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-09-2021 Heard learned counsel for the petitioners and the
State.

Petitioners seek regular bail in a case registered for
the offence punishable under Section 30 (a) of the Bihar
Prohibition & Excise Act.

As per the prosecution case, 245.400 liters of foreign
liquor has been recovered from a Tata Sumo vehicle parked on
the left side of the road and these petitioners were arrested as
driver and cleaner of the vehicle.

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 no way
concerned with the alleged recovery. Petitioners claim clean
antecedent and are in custody since 03.04.2021 and
investigation in this case is complete .



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, Banka in connection with Ex. Comp. case No. 51/2021 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.

(Prabhat Kumar Singh, J)

BKS/-

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

