

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36923 of 2021

Arising Out of PS. Case No.-10 Year-2021 Thana- BIKRAM District- Patna

1. Dilbag Singh Son of Jasbir Singh Resident of Village- Khemkaran Road, P.S.- Bhikhiwind, District- Tarn Taran (Amritsar), Punjab.
2. Sukhraj Singh Son of Late Hardeo Singh Resident of Village- Povind, P.S.- Bhikhiwind, District- Tarn Taran (Amritsar), Punjab

... .. Petitioners

Versus

The State of Bihar

... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Kumar, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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 30a of the Bihar Prohibition and Excise Act.

As per the prosecution case, 5091.480 liters of liquor was recovered from the truck. Petitioner no.1 was driver cum owner of the vehicle and petitioner no.2 was khalasi of the vehicle.

Learned counsel appearing for the petitioners submits that the petitioners are innocent and has falsely been implicated in this case. No incriminating material 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 13.1.2021. Investigation is



complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties and the period of custody of the petitioners, let both the petitioners, above named, 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 the Special Judge, Excise Act, Patna in Bikram Police Station Case No. 10/2021 Special Case No. 335 of 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 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)

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