

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37885 of 2021

Arising Out of PS. Case No.-50 Year-2021 Thana- PURNAHYA District- Sheohar

1. Feku Ram, Son of Ganesh Ram, Resident of Village-Ashopur, Police Station- Piprahi, District- Sheohar.
2. Munna Singh, Son of Late Parikshan Singh, Resident of Village- Chhatauna Vishunpur, P.S.- Piprahi, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-12-2021 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in connection with Purnahiya P.S. Case No.50 of 2021 instituted for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Upon a *Pulsar* motorcycle stored in bags, there is an alleged recovery of 90 litres *Nepali* liquor.

The Counsel for the petitioners submits that it is a case of false implication. No recovery as alleged has taken place. The petitioners have been implicated merely because earlier they had been implicated in Purnahiya P.S. Case No.17



of 2020 for the offence under the Excise Act. They are stated to be in custody in connection with this case since 24.03.2021.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for bail of the petitioners is allowed.

Let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ADJ-II Cum Special Judge, Excise Act, Sheohar, in connection with Purnahiya P.S. Case No.50 of 2021, subject to the following conditions:

(i) That one of the bailors of each of the petitioners will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.



This Court would expect that the petitioners’ counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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