

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39606 of 2021

Arising Out of PS. Case No.-205 Year-2020 Thana- RAGHUNATHPUR District- Siwan

1. Lal Babu Turha S/O Lakhpati Sah @ Lakhpati Turha R/O Village-Raghunathpur, P.S.-Raghunathpur, District-Siwan.
2. Santosh Kumar Turha @ Santosh Turha S/O Lal Babu Turha R/O Village-Raghunathpur, P.S.-Raghunathpur, District-Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary
For the Opposite Party/s : Mr.Rajeev Nayan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 05-10-2021 Heard learned counsel for the petitioners and learned
Addl. Public Prosecutor for the State.

The petitioner seeks bail in Raghunathpur P.S. Case No. 205 of 2020, registered for the offence under Sections 30(a) and 41 of Bihar Prohibition and Excise Act.

208 liters & 800 ml. of foreign liquor has been recovered from a ditch situated near village Harpur at Mirzapur Tinmuhani Road.

It is submitted on behalf of petitioners that nothing has been recovered from the conscious possession of the petitioners. The recovery has been made from a public place. Petitioners have got clean antecedent and they are in custody since 14.03.2021. Investigation is complete.



Learned A.P.P. for the State has opposed the bail petition.

Considering the nature of allegation, clean antecedent and period of custody, the bail petition of petitioners is allowed. Let the above named petitioners 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 learned Additional District & Sessions Judge II cum Special Judge, Excise, Siwan in connection with Raghunathpur P.S. Case No. 205 of 2020, on the following conditions:

“(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, 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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