

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40974 of 2021

Arising Out of PS. Case No.-155 Year-2021 Thana- SHERGHATI District- Gaya

1. Raj Kumar Yadav @ Raj Kumar Paswan Son of Sanu Paswan Resident of Village- Pardi, Kali Mandir, Asan Bani, P.S.- Chandil, Sarykela Khadsawa (Jharkhand)
2. Pankaj Das Son of Pradip Das Resident of Village- Kapali, P.S.- Chandil, District- Saraykela Khadsawa (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-10-2021 Heard learned counsel for the petitioners and learned
A.P.P for the State through video conferencing.

The petitioners seek bail in Sherghati P.S. Case No.
155 of 2021, registered for the offence punishable punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

431.820 litres of foreign liquor has been recovered
from a vehicle and petitioners were occupants of the vehicle.

It is submitted that no recovery has been made from
conscious possession of petitioners. Petitioners are neither
driver nor owner of the vehicle in question and have got no
concern with the seized liquor. Petitioners are in custody since



14.03.2021 having no criminal antecedent, as stated in para 3 of the petition. Investigation is complete.

Considering the period of custody coupled with the fact that petitioners bear clean antecedent, 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 Additional Sessions Judge II-cum-Special Judge Excise Act, Gaya in connection with Sherghati P.S. Case No. 155 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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