

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40667 of 2021

Arising Out of PS. Case No.-40 Year-2021 Thana- ROH District- Nawada

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1. Upendra Kumar Kushwaha, Son of Pramod Kumar Kushwaha Resident of - Niche Bazar, P.S. - Roh, District - Nawada.
 2. Raushan Kumar, Son of Surendra Prasad Resident of Village - Roh, P.S. - Roh, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar, Advocate.

For the Opposite Party/s : Mr.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

2 09-12-2021 This bail application is taken up out of turn for hearing as marriage ceremony of son of the applicant no. 1, Upendra Kumar Kushwaha is going to be held on 12.12.2021.

The applicants/accused in Crime No. 40 of 2021 registered with Roh Police Station for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, at the instance of Police Station Officer, by this application are seeking his release on bail after filing of the charge sheet.

Heard both sides.

According to the prosecution case, 55 litres of illicitly distill liquor came to be seized from the premises of



the applicants during the course of raid conducted by the police.

The charge sheet is reportedly filed. Thus the investigation is over. It is seen from the application that the applicants are not having any criminal antecedent so far as the offence of the light nature is concerned and hence, the order :-

i. The application is allowed.

ii. The applicants/accused in Crime No. 40 of 2021 registered with Roh Police Station for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) each on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicants/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against them so as to dissuade them from disclosing such facts to the Court or to any police officer.

(II) The applicants/accused should cooperate the trial court in expeditious disposal of the trial against them.

(III) The applicants/accused should not contact the members of the prosecuting party as well as witnesses in this



case in any manner till conclusion of the trial.

(IV) The applicants should not repeat commission of similar offence in future and if they are found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicants in the instant case.

The applicants to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the appellants/accused.

(A. M. Badar, J)

Bhardwaj/-

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