

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10904 of 2021

Arising Out of PS. Case No.-261 Year-2020 Thana- RAJAOLI District- Nawada

1. ISHWAR RAVIDAS S/o Krishna Das R/o village- Chhoti Takiya Khairabad, P.S.- Biharsharif, District- Nalanda
2. Deepak Kumar S/o Dharm Ravidas R/o Village- Lalbag, P.S.- Parwalpur, District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binit Kumar, Advocte

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-07-2021 . In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioners and the learned APP for the State.

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

Petitioner seeks bail in Rajauli PS Case No. 261 of 2020 registered under Sections 30(a), 41 and 52 of Bihar Prohibition and Excise Act, 2016 .

Petitioners have been arrested from a vehicle allegedly carrying 1248 liters of illicit liquor.

Learned Counsel for the petitioners submits that they had taken a ride on the vehicle and have become victim of the circumstances though they have no concern. The petitioners have no criminal antecedent and have been in custody since 18.6.2020.



Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, 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) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge -cum- Special Judge, Nawada in Rajauli PS Case No. 261 of 2020 subject to the following conditions:-

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

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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