

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47835 of 2021

Arising Out of PS. Case No.-84 Year-2021 Thana- KARAKAT District- Rohtas

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1. Ravi Kumar S/O Lalendra Kumar R/o village- Salhauri Bag (Navinagar), P.S.- Dulhin Bazar, District- Patna
 2. Rakesh Kumar S/o Jai Ram Yadav R/o village- Bhagwan Bigha, P.S. and District- Arwal

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-12-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioners seek bail in connection with Karakat P.S. Case No. 84 of 2021 registered for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

According to prosecution case, 1062 liters illegal wine was recovered from a Truck.

Learned counsel for the petitioners submits that



petitioners are innocent and have committed no offence and they have falsely been implicated in the present case. No incriminating article has been recovered from conscious possession of the petitioners. Learned counsel further submits that the alleged recovery has been made from Truck in question. Petitioners are in custody since 14.05.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioners, above named, 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 the learned Additional District and Sessions Judge-II-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Karakat P.S. Case No. 84 of 2021, subject to the following conditions:-

1. 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 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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