

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4294 of 2021

Arising Out of PS. Case No.-351 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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1. RAMESH SHAH S/o Late Kamal Shah Resident of Village- Chhatwara, P.S.- Mahua, District- Vaishali.
 2. Vinay Kumar S/o Lalbabu Rai Resident of Village- Parsauniya, P.S.- Mahua, District- Vaishali.
 3. Deepak Kumar Son of Pramod Rai Resident of Village- Hasanpur Osti, P.S.- Mahua, District- Vaishali.

... .. 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.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-02-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are in custody since 08.09.2020 in connection with Excise P.S. Case No. 351/2020 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 1200 litres of country made wine was recovered from the Pick-up van of the petitioners during vehicle checking and the petitioners were arrested on the spot.

It is submitted on behalf of the petitioners that nothing has been recovered from the conscious possession of the



petitioners and the Tata Xerion Yodha Pick-up van does not belong to these petitioners. Chargesheet has already been submitted in this case. Petitioners are in custody since 08.09.2020 and they bear clean antecedents.

Considering the aforesaid facts and circumstances, the bail petition of the petitioners is allowed. Let the petitioners above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Special Judge, Excise, Gaya, in connection with Excise Case No. 351/2020, subject to 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 on their absence on two consecutive dates without sufficient reason, their bail-bonds shall be cancelled by the Court below.

(2) If the petitioners tempers 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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