

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4416 of 2021

Arising Out of PS. Case No.-55 Year-2020 Thana- DURGAWATI District- Kaimur (Bhabua)

1. SAHJAD @ SIDDU S/o Abdul Sajjad @ Abdul Rajjak R/o village-Pathroura, P.S.- Adalahat, District- Sonbhadra (U.P.)
2. SATYAM SINGH S/o Mahendra Singh @ Mahendra Kumar Singh R/o village- Manakapada, P.S.- Iliya, District- Chandouli (U.P.)

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Pathak

For the Opposite Party/s : Mr.Kurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 25-01-2021 Heard learned counsel for the parties.

This application for grant of regular bail arises out of Durgawati P.S. Case No. 55 of 2020 corresponding to Excise Case No. 187 of 2020, disclosing offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The petitioners along with two other co-accused persons had earlier approached this Court for grant of regular bail, which was rejected by an order dated 13.05.2020 passed in Cr. Misc. No. 18126 of 2020, with an observation that the petitioners shall be at liberty to renew their prayer for bail after six months. Two of the four petitioners of Cr. Misc. No. 18126 of 2020 approached the Supreme Court against the said order



dated 13.05.2020, giving rise to Special Leave to Appeal(Cri) No. 3509 of 2020. The Supreme Court disposed of the said Special Leave Petition by an order dated 10.09.2020 in following terms:-

“The Court is convened through Video Conferencing.

Heard the learned counsel appearing for the petitioners and the learned counsel appearing for the State of Bihar.

After perusing the material available on record and taking into consideration the fact that the petitioners are in jail for six months, we are inclined to enlarge them on bail.

The petitioners are, therefore, directed to be released on bail subject to such terms and conditions which the concerned Trial Court shall deem appropriate to impose upon them.

The Special Leave Petition is disposed of in the afore-stated terms.

Pending applications filed in the matter also stand disposed of.”

It is evident that Supreme Court allowed release of two other co-accused persons since they have remained in custody for six months.

Considering the above and the observation made by



this Court in the order dated 13.05.2020 passed in Cr. Misc. No. 18126 of 2020, this application is allowed.

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 Sessions Judge-III-cum-Special Judge(Excise Act), Kaimur at Bhabua in Durgawati P.S. Case No. 55 of 2020, corresponding to Excise Case No. 187 of 2020.

(Chakradhari Sharan Singh, J)

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