

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40584 of 2020

Arising Out of PS. Case No.-92 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Saharsa

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1. Chandra Mohan Kumar aged about 30 yrs (Male) S/o Shankar Prasad Mandal Resident of Village- Gogri Jamalpur, P.S.- Gogri Jamalpur, District- Khagaria.
 2. Chand Kumar aged about 19 yrs (Male) S/o Late Mahendra Mishtri @ Late Mahindra Mistri Resident of Subedari Tola, Ward No. 13, P.S.- Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-02-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Special (Excise) Case No. 359/2020, arising out of Excise Department Case No. 92/2020 registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, these two petitioners were arrested on spot while loading total 985.905 liters of illicit foreign liquor and 23 liters of illicit Bear on E-rickshaw and their motorcycle.

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



and have no concern either with the seized vehicle or liquor. Petitioners have no criminal antecedent and they are in custody since 08-09-2020.

Considering the aforesaid facts and circumstances, the bail application of petitioners is allowed. Let the above named petitioners be enlarged 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 learned A.S.J.-II cum Special Judge (Excise), Saharsa in connection with Special (Excise) Case No. 359/2020, arising out of Excise Department Case No. 92/2020 on the following conditions:

“(1) Petitioners shall cooperate 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-bonds 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.”

(Prabhat Kumar Singh, J.)

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