

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7032 of 2021

Arising Out of PS. Case No.-66 Year-2020 Thana- FULKAHA District- Araria

1. KUSU @ PUSU @ KUSHESHWAR VIRAJI S/o Dholi Viraji Resident of Vill.- Achra, Ward No. 8, P.S.- Fulkaha, Distt.- Araria.
2. BUJU @ BUJESHWAR VIRAJI @ BUDH NARAYAN BIRAJI S/o DHOLI VIRAJI Resident of Vill.- Achra, Ward No. 8, P.S.- Fulkaha, Distt.- Araria.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2 26-04-2021 The defect(s) as pointed out by the Office be removed by the learned counsel for the petitioners within two months after the High Court resumes its normal functioning.

Heard learned counsel for the parties.

Petitioners seek bail in a case registered for the offences punishable under Sections 30(a), 45 of the Bihar Prohibition & Excise Act.

Allegation is recovery of 24.60 litres Nepali liquor from



the Verandah of petitioners' house and 145.20 litres Nepali liquor from the field adjacent to the house of the petitioners.

It has been submitted on behalf of the petitioners that petitioners are innocent and have falsely been implicated in this case due to village politics. It has further been submitted that petitioners were not caught at the spot. Petitioners have no criminal antecedent and they are in custody since 26.08.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Special Case No. 541 of 2020 arising out of Fulkaha P.S. Case No. 66 of 2020 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(4) If the petitioners are found involved in similar nature



of offences, after their release on bail, the trial court shall take
steps to cancel their bail bond.

(S. Kumar, J)

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