

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4195 of 2021

Arising Out of PS. Case No.-226 Year-2020 Thana- DURGAWATI District- Kaimur (Bhabua)

1. Bipin Bihari Paswan @ Vipin Bihari Paswan aged about 30 years Son Of Jagnarayan Ram Resident Of Village - Mishripur, P.S.- Sasaram Muffasil, Dist.- Rohtas (Sasaram)
2. Chote Lal Shah @ Chhote Lal Sah aged about 32 years Son Of Yamuna Sah Resident Of Village - Kirhindi, P.S.- Shivsagar, Dist.- Rohtas (Sasaram)

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-03-2021 Learned counsel for the petitioners prays for and is permitted to make correction in paragraph 1 of the bail petition.

Heard learned counsel for the petitioners and the State .

Petitioners seek bail in a case registered for the offence punishable under Sections 414/34 of the Indian Penal Code and section 30a of the Bihar Prohibition and Excise Act.

Prosecution's case, in brief, is that 168 liters of beer has been recovered from Alto car of which petitioners are alleged to be driver and co-passenger respectively. They were arrested on the spot.

Learned counsel appearing for the petitioners submit



that the petitioners are innocent and have falsely been implicated in this case. Nothing incriminating has been recovered from the possession of the petitioners and they nothing to do with the alleged recovery. Charge sheet has already been submitted. Petitioners have got no criminal antecedent and they are in custody since 26.8.2020.

Considering the fact that petitioners have got no criminal antecedent and are in custody since 26.8.2020 and Charge sheet has already been submitted, 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 Additional Sessions Judge V cum Special Judge, Excise Act Kaimur at Bhabua in Durgawati Police Station Case No. 226 of 2020 on 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.

(Prabhat Kumar Singh, J)

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