

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1923 of 2021

Arising Out of PS. Case No.-173 Year-2020 Thana- MOKAMAH District- Patna

1. AMIT KUMAR, aged about 36 years Son of Upendar Singh Resident of Khatano More, P.S.- Mokama, District - Patna.
2. Mantu Kumar aged about 38 years Son of Upendar Singh Resident of Khatano More, P.S.- Mokama, District - Patna.
3. Sanjit Kumar aged about 27 years Son of Battu Singh Resident of Khatano More, P.S.- Mokama, District - Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-03-2021 Heard learned counsel for the petitioners and the State through Video Conferencing.

Petitioners seek bail in a case registered for the offence punishable under Section 30a of the Bihar Prohibition and Excise Act.

Prosecution's case, in brief, is that on secret information police raided a house and 71.100 liters of foreign liquor was recovered from the house of petitioner no.1 and all the three petitioners were apprehended 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. House in question does not belong to petitioner no.1. Petitioners have got clean antecedent and they are in custody since 29.8.2020.

Considering the facts of the case, 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 Special Judge, Excise Act, Patna in Mokama Police Station Case No. 173 of 2020 the 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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