

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1708 of 2021

Arising Out of PS. Case No.-265 Year-2020 Thana- DINARA District- Rohtas

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1. UMA SHANKAR SINGH Son of Sudama Singh Resident of Village - Sheopur, Chitauli, Police Station - Sasaram (M), District - Rohtas at Sasaram
 2. Ajit Patel Son of Gajendra Singh Resident of Village - Soarathi, Police Station - Dinara, District - Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-03-2021 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are in custody since 04.09.2020 in connection with Dinara P.S. Case No. 265 of 2020 registered for the offences punishable under Sections 30(a)/33/36 of the Bihar Prohibition and Excise Act.

As per the prosecution case, on a secret information, raid was conducted in the house of petitioner No. 2 and on search, 111.96 liters of foreign liquor has been recovered from a white coloured Bolero Vehicle which was parked in the garage.

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



petitioners. It is further submitted that name of these petitioners surfaced on the basis of confessional statement of co-accused Shashi Kant Rai which has no evidentiary value. It is next submitted that petitioners are not the owner of the seized vehicle. Petitioners have got clean antecedent and are in custody since 04.09.2020.

Considering the aforesaid facts and circumstances, the bail petition of the petitioners is allowed. Let the petitioners above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Additional District and Sessions Judge-II cum Special Judge, Excise Act, Rohtas at Sasaram, in connection with Dinara P.S. Case No. 265/2020, subject to 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 on their absence on two consecutive dates without sufficient reason, their bail-bonds shall be cancelled by the Court below.

(2) If the petitioners tempers 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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