

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2879 of 2021

Arising Out of PS. Case No.-168 Year-2020 Thana- PATEPUR District- Vaishali

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1. DHARMENDRA RAM SON OF SANICCHAR RAM
 2. KRISHNA SINGH @ KRISHNA KUMAR SON OF MANOJ KUMAR @
MANOJ KUMAR SINGH
- Both are resident of Village - Salempur Salkhani, P.S.- Patepur,
Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-03-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are in custody since 08.08.2020 in connection with Patepur P.S. Case No. 168/2020 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 652.65 litres of foreign liquor has been recovered from the goat farm of petitioner No. 2 and both of them fled away after seeing the police who were identified in torch light.

It is submitted on behalf of the petitioners that nothing has been recovered from the possession of the petitioners. It is further submitted that recovery has been made from the goat farm which is accessible to general public. Petitioners have got no criminal antecedent and they are in custody since



08.08.2020.

Considering the aforesaid facts and circumstances and that nothing has been recovered from the possession of these petitioners coupled with the fact that petitioners have got clean antecedent, 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 Sessions Judge-II-cum, Excise Court, Vaishali at Hajipur, in connection with Patepur P.S. Case No. 168/20, 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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