

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6405 of 2021

Arising Out of PS. Case No.-664 Year-2020 Thana- AGAMKUAN District- Patna

1. Saurabh Kumar Son Of Om Prakash Yadav Resident of Village - Dabar Gali, Naya Tola, Kumharar, P.S.- Agamkuan, Distt.- Patna.
2. Om Prakash Yadav Son of Late Amakh Yadav Resident of Village - Dabar Gali, Naya Tola, Kumharar, P.S.- Agamkuan, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deovind Kumar Singh
For the Opposite Party/s : Mr.Matloob Rab,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 13-04-2021 Heard learned counsel for the parties through virtual mode.

The petitioners seek bail in Spl. Case No. 5709 of 2020, arising out of Agamkuan P.S. Case No. 664 of 2020, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

As per the prosecution case, petitioners were apprehended alongwith 6.840 liters of foreign liquor.

It is submitted on behalf of petitioners that nothing has been recovered from conscious possession of the petitioners. Petitioners claim clean antecedent and they are in custody since 29.09.2020.



Considering the quantity of liquor and period of custody, the bail application of petitioners is allowed. Let the above named petitioners 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 learned Special Judge, Excise, Patna in connection with Spl. Case No. 5709 of 2020, arising out of Agamkuan P.S. Case No. 664 of 2020, on the following conditions:

“(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, 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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