

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10123 of 2021

Arising Out of PS. Case No.-62 Year-2020 Thana- DINARA District- Rohtas

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1. SUMANT SINGH @ SUMAN SINGH @ SUMAN SINGH YADAV S/o- Sri Krishna Singh Yadav @ Shri Krishna Singh
 2. Rangbahadur Singh Yadav S/O- Sri Krishna Singh Yadav @ Shri Krishna singh

Both R/o Village- Saisar, P.S. - Dinara, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-03-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are in custody since 19.08.2020 in connection with Dinara P.S. Case No. 62/2020 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 103.680 liters of foreign liquor has been recovered from the roof of the cowshed of the petitioners.

It is submitted on behalf of the petitioners that nothing has been recovered from the possession of these petitioners. It is further submitted that the alleged recovery has been made from the roof of the cowshed which is accessible to general public.



Chargesheet has already been submitted in this case. Petitioners are in custody since 19.08.2020.

Considering the aforesaid facts and circumstances and that nothing has been recovered from the possession of the petitioners, coupled with the fact that chargesheet has already been submitted in this case, 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, Rohtas at Sasaram, in connection with Dinara P.S. Case No. 62/2020, 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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