

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8014 of 2021

Arising Out of PS. Case No.-136 Year-2020 Thana- SONBERSA District- Sitamarhi

1. Pramod Rai aged about 26 years Son of Mahesh Ray Resident of Village - Parariya, P.S. - Sonbarsa, District - Sitamarhi.
2. Manoj Thakur @ Manoj Mandal aged about 25 years Son of Bilas Thakur @ Vilash Thakur Resident of Village - Madhiya @ Marhia, P.S. - Sonbarsa, District - Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-04-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioners and the
State.

Petitioners seek bail in a case registered for the offence
punishable under section 414 of the Indian Penal Code and
section 30a of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 586.500 liters of
Nepali Saufi wine was recovered from Tata Victa vehicle and
motorcycle. Two co-accused persons, who were arrested,
disclosed the name of these petitioners who fled away after
seeking the police.

Petitioners were not arrested on spot and have been



made accused on the basis of confessional statement of co-accused Varun Kumar and Ravindra Mahto, who were apprehended on spot. No incriminating material has been recovered from the conscious possession of the petitioners. Petitioners have got clean antecedent as stated in paragraph 3 of the bail petition. Petitioners are in custody since 31.8.2020 and 11.9.2020 respectively.

Considering the facts and circumstances of the case and the fact that no incriminating material has been recovered from the conscious possession of the petitioner and petitioners have got clean antecedent, in the facts of the case, prayer for bail of the petitioners is allowed. Let the petitioners, mentioned above, be enlarged 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 Additional Sessions Judge II cum Special Judge, Excise Act Sitamarhi in Sonbarsa Police Station Case No. 136 of 2020 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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