

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9651 of 2021

Arising Out of PS. Case No.-333 Year-2020 Thana- KAUWAKOL District- Nawada

1. KARTIK ROY Son of Late Judge Roy Resident of Village - Shakham, Damalua, P.S.- Lokaynayanpur, District - Giridih.
2. Talo Soren Son of Jitan Soren Resident of Village - Khaito, P.S.- Lokaynayanpur, (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Singh, Advocate

For the Opposite Party/s : Mr.BN Pandey, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-07-2021 Heard learned counsel for the petitioners and the State through Video Conferencing.

Petitioners seek bail in a case registered for the offence punishable under Section 30a of the Bihar Prohibition and Excise Act.

350 liters of Mahua wine was recovered from a Bolero vehicle of which petitioners are driver and khalasi respectively. Both of them were arrested on the spot.

Learned counsel appearing for the petitioners submit that the petitioners are innocent and have falsely been implicated in this case. Nothing incriminating has been recovered from the possession of the petitioners and they nothing to do with the alleged recovery as they were not aware of the nature of consignment loaded on the vehicle. Petitioners have got no criminal antecedent and they are in custody since



30.9.2020.

Considering the facts of the case and the period of custody, let the petitioners, above named, 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 Additional Sessions Judge II cum Special Judge, Nawada in Kawakole Police Station Case No. 333 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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