

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10254 of 2021

Arising Out of PS. Case No.-53 Year-2020 Thana- MAIRWAN District- Siwan

1. VIKASH KUMAR SON OF RAM CHANDRA @ RAM CHANDER
RESIDENT OF VILLAGE- BABA YOGINATH MEDICAL LOHANI,
POLICE STATION- JUI, DISTRICT- BHIWANI (HARYANA).
2. DEEPAK KUMAR SON OF SATYAVIR SINGH RESIDENT OF
VILLAGE- BABA YOGINATH MEDICAL LOHANI, POLICE STATION-
JUI, DISTRICT- BHIWANI (HARYANA).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-03-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners have renewed their prayer for bail in connection with Mairwa P.S. Case no. 53 of 2020 registered under sections 30(a), 38(1) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the first information report, 2205 litres of IMFL was recovered from the truck of which the petitioners were driver and khalasi.

It is submitted by learned counsel for the petitioners that the earlier application for bail of the petitioners was rejected *vide* order dated 08.07.2020 (Annexure 1) passed in Cr. Misc. No. 19467 of 2020. The petitioners have no criminal antecedents and are in custody since 22.2.2020. It is further submitted that the petitioners



undertake to cooperate with the investigating agency and also in the trial.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration that the petitioners have no criminal antecedents together with the period in custody, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to be enlarged on bail in connection with Mairwa P.S. Case no. 53 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge – cum – Special Judge, Excise, Siwan subject to the following conditions:

(I) One of the bailors of both the petitioners shall be a local resident of a place within the jurisdiction of the learned court below.

(II) The second bailor of both petitioners shall be either the mother or father of the respective petitioner.

(Partha Sarthy, J)

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