

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2445 of 2022

Arising Out of PS. Case No.-314 Year-2021 Thana- TAJPUR District- Samastipur

1. Abhay Kumar S/O Bhikhari Ray, R/o village-Maura Bujurg, P.S.- Patepur, District- Vaishali
2. Ravindra Roy @ Ravinder Ray, S/o Ram Ratan Roy R/o village-Maura Bujurg, P.S.- Patepur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No.2, Advocate

For the Opposite Party/s : Mr.Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-06-2022 Heard learned counsel for the petitioners and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioners seek bail in connection with Tajpur P.S. Case No. 314 of 2021 registered for the alleged offences under Sections 30(a)/41 (1)/42 (2)/ 47 of the Bihar Prohibition and Excise Act, 2018.

As per allegation, 3731.040 liters of foreign liquor was recovered from different vehicles and the petitioners were apprehended from the spot along with other co-accused persons. However, learned counsel for the petitioners has submitted that nothing has been recovered from the conscious possession of the petitioners. The petitioners are in custody since 19.08.2021



and are having clean antecedent.

Learned APP has opposed the prayer for bail, submitting that a huge quantity of liquor has been recovered from the different vehicles.

Having regard to the submissions made hereinabove and considering the period of custody, the petitioners above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Samastipur in connection with Tajpur P.S. Case No.314 of 2021, subject to the following conditions :

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below.

(iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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