

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2582 of 2022

Arising Out of PS. Case No.-50 Year-2021 Thana- VALMIKINAGAR District- West
Champaran

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1. BAIJNATH URAW @ BAINATH URON SON OF LATE SUKHU URON
@ SOHARAI URON R/O VILLAGE- CHAMPAPUR DHANGADAHYA,
P.S.- VALMIKINAGAR, DISTRICT- WEST CHAMPARAN
 2. GANESH URON SON OF SAWAN URON R/O VILLAGE-
CHAMPAPUR DHANGADAHYA, P.S.- VALMIKINAGAR, DISTRICT-
WEST CHAMPARAN
 3. DINANATH URAON SON OF LATE MANGAR URAON @ DEBA
URAON R/O VILLAGE- CHAMPAPUR DHANGADAHYA, P.S.-
VALMIKINAGAR, DISTRICT- WEST CHAMPARAN
 4. SHIV URAON SON OF PANDEY URAON R/O VILLAGE-
CHAMPAPUR DHANGADAHYA, P.S.- VALMIKINAGAR, DISTRICT-
WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta
For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-06-2022 Heard learned counsel for the petitioners and the

State.

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

The main allegation is that the petitioners as well as
co-accused were found having illicit manufacturing illegal
liquor and at the place of occurrence 65 liters of country made



wine and 2000 liters semi manufactured wine and raw materials were recovered.

The main submissions advanced by the learned counsel for the petitioners are that petitioners were not arrested at the spot, their names came into light by co-accused persons during the course of investigation and they have been languishing in jail since 9.10.2021 and they are daily wages workers and there is no legal evidence against them except confessional statement of co-accused persons and they have clean antecedent.

Learned APP opposes the prayer for bail.

Having considered the above submissions, petitioners' custody period and and as per submission petitioners have got no criminal antecedent, let the petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise, West Champaran, Bettiah in Valmikinagar Police Station Case No. 50 of 2021 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 below and shall remain physically present as directed by the Court below 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.

(3) One of the bailers shall be close relative of the petitioners who has sworn affidavit in this miscellaneous petition.

The court below will verify the criminal antecedent of the petitioners but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioners is found then the court below shall take serious action against them for cancellation of their bail bond.

(Shailendra Singh, J)

s.hassan/-

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