

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7084 of 2022

Arising Out of PS. Case No.-350 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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1. Brijmohan @ Vrijmohan, Son Of Sri Prakash Chandra, Resident Of Dwarika Sector 16A, Pocket 2, Kakroula, P.S.- Dwarika, New Delhi, District- New Delhi
 2. Dilip Kumar Yadav, Son Of Raghunath Yadav, Resident Of Village- Harharcha, P.S.- Baheri, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Yadav, Advocate
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 31-08-2022 Learned counsel for the petitioners is directed to
remove all the defects pointed out by the Stamp Reporter.

Heard learned counsel for the petitioners and learned
APP for the State.

This is the second attempt of the petitioners to obtain
bail in connection with Excise Case No.350 of 2020 registered
for the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016. They are in custody since
13.12.2020. The petitioners have got no criminal antecedent.

Earlier the prayer for bail of the petitioners was
rejected vide order dated 05.08.2021 passed in
Cr.Misc.No.16337 of 2021 with liberty to the petitioners to



renew their prayer for bail on completion of one year of custody in connection with the present case.

Learned counsel for the petitioners submits that the petitioners are in custody since 13.12.2020 having no criminal antecedent and the trial has yet not concluded and is not likely to be concluded in near future.

Learned APP for the State has opposed the prayer for bail of the petitioners.

Having regard to its observation in the order dated 05.08.2021 passed in Cr.Misc.No.16337 of 2021 granting liberty to the petitioners to renew their prayer for bail on completion of one year of custody in connection with the present case and that the petitioners are in custody since 13.12.2020 having no criminal antecedent and the Court has been informed by learned counsel for the petitioners that the trial has yet not concluded and is not likely to be concluded in near future, this Court directs release of the petitioners above named on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II, Gopalganj in connection with Excise Case No.350 of 2020, subject to the conditions as laid down under Section



437(3) Cr.P.C.

And further condition that one of the bailors would be a resident of State of Bihar having sufficient means.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

Certified copy of the order will be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

