

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 6925 of 2022

Arising Out of PS. Case No.-387 Year-2021 Thana- GORAUL District- Vaishali

VIJAY KUMAR SINGH SON OF LATE RAM NAUMI SINGH @
RAMNAVAMI PRASAD SINGH R/O VILLAGE- PRATAPTAND, P.S.-
BHAGWANPUR, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 7223 of 2022

Arising Out of PS. Case No.-387 Year-2021 Thana- GORAUL District- Vaishali

NITESHWAR SAH @ GABBAR SAH S/o Late Rajendra Sah R/o Village-
Shekhpura, Gangati, P.S.- Goraul, (Kathra O.P.), District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 6925 of 2022)

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

(In CRIMINAL MISCELLANEOUS No. 7223 of 2022)

For the Petitioner/s : Mr.Rina Sinha

For the Opposite Party/s : Mr.Anant Kumar 1

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 26-05-2022 The learned counsel for the petitioners is directed to

remove all the defects pointed out by the Stamp Reporter within one

month.

Both the cases arise out of the same police station case

number as such they have been heard together and are being disposed

of by this common order.



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

This is an application for regular bail on behalf of the petitioners for the offences alleged under sections 30(a), 30(c), 33 and 36 of Bihar Prohibition and Excise Act.

Learned counsel for the petitioner- Vijay Kumar Singh has submitted that the alleged liquor was not recovered from his possession rather it was recovered from the house of the petitioner Niteshwar Sah. He has also submitted that the petitioner Vijay Kumar Singh has no criminal antecedents. The petitioners are in custody since 08.10.2021.

Considering the clean antecedents and the period of custody of the petitioner - Vijay Kumar Singh, let him be released on bail on furnishing bail bond of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Exclusive Special Excise Court No. I- cum- Addl. Sessions Judge, Vaishali at Hajipur in connection with Goraul (Kathara O.P) P.S. Case no. 387 of 2021, subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
2. At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for



cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Let the petitioner Niteshwar Sah @ Gabbar Sah be released on bail only after framing of the charge on furnishing bail bond of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge II-cum- Excise Court, Vaishali at Hajipur in connection with Goraul (Kathara O.P) P.S. Case no. 387 of 2021.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

s.hassan/-

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