

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10468 of 2022

Arising Out of PS. Case No.-994 Year-2021 Thana- BANKA District- Banka

1. Satnam Singh Son Of Baljeet Singh R/O - Maliya, P.S.- Taran Taaran,
District- Taran Tarn, Punjab
2. Guruprit Singh Son Of Jogendra Singh R/O - Mabua Dav, P.S.- Mangalganj,
District- Lakhimpur Khiri, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey

For the Opposite Party/s : Mr. Anita Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-06-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioners seek bail in a case registered for the offences punishable under Sections 30(a), 32(2), 36, 41(1) of the Bihar Prohibition and Excise Amendment Act, 2018.

Recovery is of total 5283.72 liters of foreign liquor from the Truck.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been



implicated in the present case. He further submits that nothing has been recovered from the conscious possession of the petitioners rather the recovery has been made from the Truck in question. He further submits that in fact petitioner no.2 is the driver and petitioner no.2 is the Khalasi and they have no concern with the alleged recovery. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioners are in custody since 16.12.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Banka P.S. Case No. 994 of 2021 and Special Excise Case No. 1103 of 2021, subject to 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 and shall remain physically present as directed by the court 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 bailors shall be the wife/father/brother of the petitioners and another shall be the local resident of territorial jurisdiction of the court below.

4. 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.

(Rajesh Kumar Verma, J)

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