

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11416 of 2022

Arising Out of PS. Case No.-300 Year-2020 Thana- MANSI District- Khagaria

1. Sanjeev Kumar Son Of Late Sikendra Singh
2. Sikendra Singh Son Of Gorakh Singh
Both Resident Of Village- Amni, P.S.- Mansi, District- Khagaria (bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Kishor Poddar, Adv

For the Opposite Party/s : Mr.Brajendra Nath Pandey,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in a case registered for the offence under Sections 30(a) of Bihar Prohibition and Excise Act, 2016.

Recovery is of 60 liters of country made liquor.

Learned counsel appearing for the petitioners submits that petitioners have clean antecedent. They have falsely been implicated in the present case only on the basis of suspicion. He further submits that in fact the petitioners were not apprehended



on the spot and nothing has been recovered from conscious possession of the petitioners. The name of the petitioners has been transpired during investigation on the basis of disclosure made by the villagers/Chowkidar and the police, after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 20.11.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, 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 Mansi P.S.Case No. 300 of 2020 with 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 bonds 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.

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 antecedents, 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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