

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13361 of 2022

Arising Out of PS. Case No.-868 Year-2021 Thana- SARAIYA District- Muzaffarpur

1. NAGENDRA BHAGAT Son of Late Asarfi Bhagat Resident of Village- Govindpur, P.S.- Saraiya, District- Muzaffarpur.
2. Nandlal Kumar Son of Sri Nagendra Bhagat Resident of Village- Govindpur, P.S.- Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lal Mani Sharma

For the Opposite Party/s : Mr.Renu Kumari

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

ORAL ORDER

2 31-05-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

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

This an application for regular bail on behalf of the petitioners for the offences alleged under Sections 272 and 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016, registered in connection with Saraiya P.S.Case No. 868 of 2021.

As per allegation, petitioners were arrested while fleeing away and, on search, 203.625 litres of liquor was



recovered from their motor-cycle.

The learned counsel for the petitioners has submitted that both the petitioners are persons of clean antecedents and they are in custody since 25.12.2021.

Considering the period of custody as well as well as clean antecedents of the petitioners, as submitted, 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 learned Special Judge, Excise Court No.2, Muzaffarpur in connection with Saraiya P.S.Case No. 868 of 2021, subject to the following conditions:-

1. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

2. At the time of furnishing bail bond, the petitioners shall file affidavit(s) to the effect that they shall not indulge themselves 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 petitioners and the learned court below will



take decision in accordance with law.

3. The bail bond shall be accepted only after verification of the criminal antecedents of the petitioners.

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

(Nawneet Kumar Pandey, J)

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