

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21027 of 2022

Arising Out of PS. Case No.-19 Year-2022 Thana- GORAUL District- Vaishali

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Sujeet Kumar Son Of Dhani Das R/O - Mahua Shing Ray Lanka Tola, P.S.-
Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 24601 of 2022

Arising Out of PS. Case No.-19 Year-2022 Thana- GORAUL District- Vaishali

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Niraj Kumar Son of Amarnath Das R/O Mahua Shing Ray Lanka Tola, P.S.-
Mahua, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 21027 of 2022)

For the Petitioner/s : Mr. Anuj Kumar, Advocate.

For the Opposite Party/s : Mr. Sangeeta Sharma, APP.

(In CRIMINAL MISCELLANEOUS No. 24601 of 2022)

For the Petitioner/s : Mr. Anuj Kumar, Advocate.

For the Opposite Party/s : Mr. Suman Kumari Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-08-2022 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 a period of four weeks from today.

Petitioners seek bail in a case registered for the

offences punishable under Sections 420/467/ 468/ 471/ 120-B of

the Indian Penal Code and Sections 30(a)/36/41(i) of the Bihar



Prohibition and Excise Amendment Act, 2018.

The prosecution story is that altogether a total of 4950 litres Indian made foreign liquor has been recovered from the truck and motorcycles.

Learned counsel for the petitioners submit that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that petitioners are merely a labours and nothing has been recovered from the conscious possession of the petitioners and they have no concerned with the alleged recovery or the vehicle in question . The petitioners are in custody since 17.01.2022.

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 Goraul (Kathara O.P.) P.S. Case No. 19 of 2022, 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. 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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