

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42140 of 2021

Arising Out of PS. Case No.-125 Year-2021 Thana- KARJA District- Muzaffarpur

1. ANMOL KUMAR S/o Manoj Kumar Resident of Village - Phulkahan Mani, P.S. - Kanti (Panapur O.P.), Dist. - Muzaffarpur.
2. AMARJEET KUMAR S/o Shivshankar Ram Resident of Village - Phulkahan Mani, P.S. - Kanti (Panapur O.P.), Dist. - Muzaffarpur.
3. SANTOSH KUMAR S/O Surendra Ram Resident of Village - Phulkahan Mani, P.S. - Kanti (Panapur O.P.), Dist. - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Nitu Kumari

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the petitioners and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the complete start of the physical Court in normal course.

The petitioners, who are in custody since 02.06.2021, seeks regular bail in connection with Karja P.S. Case No. 125 of 2021, for the offence punishable under Sections 272, 273, 414/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

The prosecution case, in brief, is that altogether 86 litres of Indian Made Foreign Liquor was recovered from the



Scorpio vehicle bearing registration No. JH-22C-3382 and about 112.32 litres of Indian Made Foreign Liquor recovered from vehicle bearing registration No. WB02V-0800 total 198.72 litres of illicit liquor was recovered.

Learned counsel appearing on behalf of the petitioners submits that petitioners are labourers and they have no concerned with the above mentioned vehicles from which the alleged illicit liquor was said to be recovered. He further submits that one co-accused Sandip Kumar have already been released on bail on 06.01.2022 passed in Criminal Miscellaneous No. 40336 of 2021. He further submits that the petitioner has no criminal antecedent.

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

Having heard the rival submissions, perused the F.I.R. and the impugned order, the petitioner having no criminal antecedent, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 1,00,000/- (Rs. One Lakh) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Muzaffarpur in connection with Karja P.S. Case No. 125 of 2021, subject to the following conditions:-



(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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