

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46717 of 2021

Arising Out of PS. Case No.-289 Year-2021 Thana- GOPALPUR District- Bhagalpur

1. SINTU KUMAR S/o Jitendra Mandal @ Jitan Mandal Resident of Maharaj Mandal Tola, P.S.- Gopalpur (Bangra), District- Bhagalpur.
2. Lalan Mandal S/o Dipan Mandal Resident of Gayani Das Tola, P.S.- Gopalpur (Rangra), District- Bhagalpur.

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Praveen Kumar, Advocate.
For the State	:	Mr. Md. Mushtaque Alam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 20-01-2022 The applicants/accused are given out of turn hearing on the basis of the Medical Certificate issued by the Indira Gandhi Heart Institute, Patna, reporting that father of the applicant no.1 is suffering from heart ailment.

The applicants/accused in Crime No.289 of 2021 registered with Police Station-Gopalpur (Rangra) for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, by this application are seeking their release on bail during the pendency of the trial.

Heard learned counsel appearing for the applicants/accused. He submits that the applicants are not having any criminal antecedents. The liquor was seized from the open



ground.

The learned A.P.P. opposed the application by contending that 90 liters country made liquor came to be seized from the applicants.

The investigation of the crime in question is already over. It is reported that the applicants are having no criminal antecedents. Hence, I see no reason to deny bail to the applicants. Therefore, the following orders:

(i). The application is allowed.

(ii). The applicants/accused in Crime No.289 of 2021 registered with Police Station-Gopalpur (Rangra) for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, be released on bail on executing P.R. bond of Rs.15000/-(Rupees Fifteen Thousand) and on furnishing surety of the like amount by each of them to the satisfaction of the trial court with the following conditions:

(I). The applicants should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against them so as to dissuade them from disclosing such facts to the Court or to any police officer.

(II). The applicants should cooperate the trial in



expeditious disposal of the trial against them.

(III). The applicants should not repeat commission of similar offence in future and if they are found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicants in the instant case.

The applicants to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicants/accused.

(A. M. Badar, J)

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