

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37838 of 2022

Arising Out of PS. Case No.-105 Year-2022 Thana- HARLAKHI District- Madhubani

1. Indal Safi Son Of Shree Mahavir Safi R/O Village- Gopalpur, P.S.- Harlakhi, District- Madhubani
2. Shatrudhan Kumar Son Of Paltu Yadav R/O Village- Mukhiyapatti, P.S.- Phulgama, District- Dhanusha (NEPAL)

... .. Petitioner/s

Versus

The State of Bihar

.. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 07-09-2022 Let the defects, if any, be removed within four weeks from today.

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners seek bail in a case registered in connection with Harlakhi P.S.Case No. 105 of 2022 for the offences punishable under Sections 272, 273, 414/34 of the Indian Penal Code of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Amendment Act.

It is alleged that in course of patrolling, police intercepted two persons riding on a motorcycle and on search total 90 liters Nepali illicit liquor was recovered.



Learned counsel for the petitioners submits that nothing has been recovered from person or possession of the petitioners, only on account of some altercation which took place between the petitioner and the police, their names have been implicated in this case. It is next submitted that the petitioners having fair antecedent and are in custody since 24.04.2022 and investigation of the crime is already completed and the charge sheet has been submitted. It is also submitted that there are various infirmities in the seizure list .

On the other hand, learned counsel for the State opposed the bail application of the petitioner.

Regard being had to the facts that the petitioners having fair antecedent are in custody since 20.04.2022 and moreover, the investigation of the crime is already completed and as such keeping the petitioners behind the bar would serve no, further purpose, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd cum Special Judge, Excise, Madhubani



in connection with Harlakhi P.S.Case No. 105 of 2022
subject to the condition that one of the bailors will be the
close relatives of the petitioners with further conditions
which are as follows:-

(i) The petitioners will cooperate in conclusion of
the trial.

(ii) They will remain present on each and every
date of trial till disposal of the case.

(iii) They will not try to tamper with the evidence
or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive
dates without any cogent reason, their bail bonds will liable
to be cancelled.

(Harish Kumar, J)

N.K/-

U		T	
---	--	---	--

