

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39178 of 2022

Arising Out of PS. Case No.-263 Year-2022 Thana- BYPASS District- Patna

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1. MUKESH KUMAR S/o Lagandeo Ray, R/o village- Sikumarpur, P.S.- Rustampur, District- Vaishali
 2. VIRANJAN KUMAR @ NIRANJAN KUMAR S/o Suresh Ray, R/o village- Kila Ghat, P.S.- Chowk, District- Patna

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad. Adv.

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2022 Let the defects, as pointed out by the Office, be removed within a period of four weeks from today.

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

Petitioners seek regular bail in connection with Bypass P.S. Case No. 263 of 2022 alleged under Section 30(a) of Bihar Prohibition and Excise Amendment Act.

As per the prosecution, total recovery of 280 liters of country made liquor has been alleged to be made from three motorcycles.

Learned counsel for the petitioners submits that there are two petitioners and two motorcycles belongs to them. He

further submits that they were apprehended from the place of occurrence but their antecedent are clean and they undertake before this Court that in future they will not involve in such type of crime. He further submits that charge sheet has already been filed in this case and petitioners are in custody since 30.06.2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs 30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna City in connection with Bypass P.S. Case No. 263 of 2022, subject to the conditions as laid down under Section 437(3) Cr.P.C. with other following conditions:

A. The petitioners shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of their bail bonds.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the

petitioners.

C. The petitioners shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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