

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42661 of 2022

Arising Out of PS. Case No.-45 Year-2018 Thana- KIUL RAIL P.S. District- Lakhisarai

1. Ramesh Yadav @ Ramesh Kumar Yadav (Male), aged about 33 years, S/O Lalit Prasad Yadav, R/o Village- Jainagar, P.S.- Manigachi, District- Darbhanga.
2. Ajit Kumar (Male), aged about 28 years, S/O Dinesh Prasad Yadav, R/o Village- Tirmuhani, P.S.- Baheri, District- Darbhanga.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Saroj Kumar, Advocate
For the Opposite Party	:	Mr. Nitya Nand Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners is directed to remove the defect (s), as pointed out by the office, within a period of four weeks.

The petitioners seek bail in connection with G.R.P. Kiul P.S. Case No. 45/2018 registered for the offence under Sections 30(a) and 38(1) of the Bihar Prohibition and Excise Act, 2016.



The prosecution story, in brief, is that total 14.94 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioners that this is a case of misuse of privilege of regular bail approximately for a period of one month. It is further submitted that the petitioners were granted regular bail by this Court vide Cr. Misc. No. 20083 of 2018 under order dated 23.04.2018. The petitioners had no intention to disobey the order passed by this Court. Petitioners could not appear on four dates as fixed by the learned court below and due to that their bail bonds were cancelled on 01.06.2022 and non-bailable warrant of arrest was issued against them. However, the petitioners voluntarily surrendered on 06.07.2022.

On behalf of the State, it is submitted that after granting bail, the petitioners could not appear before the learned court below on four dates hence their bail bonds were cancelled.

Considering the submissions advanced on behalf of the petitioners and the statements made in the present application, the petitioners, above-named, are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions



Judge-V-cum-Exclusive Special Court-2, Excise Act, Lakhisarai
in connection with G.R.P. Kiul P.S. Case No. 45/2018.

(Sudhir Singh, J)

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