

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51304 of 2021

Arising Out of PS. Case No.-272 Year-2021 Thana- GARKHA District- Saran

1. Satyendra Kumar Son of Rajdev Rai Resident of Village- Rouza, P.S.- Chapra Town, District- Saran at Chapra.
2. Prakash Kumar Son of Late Vishwanath Mahto Resident of Village- Rouza, P.S.- Chapra Town, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-01-2022 Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical Court.

Heard learned counsel for the petitioners and the learned A.P.P. for the State in virtual Court proceeding.

The petitioners seek bail in connection with Garkha P.S. Case No.272 of 2021 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The case relates to recovery of 84 liters of country-made liquor from the motorcycle of the petitioners.

Learned counsel for the petitioners submits that



the petitioners have clean antecedent. They have falsely been implicated in the present case. He further submits that it appears from the FIR as well as seizure list that nothing has been recovered from the conscious possession of the petitioners. Recovery has been made from the motorcycle in question. The petitioners are in custody since 16.04.2021.

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

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra, in connection with Garkha P.S. Case No. 272 of 2021 with the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be canceled by the Court below.

(2) If the petitioners tamper with the evidence or



the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Mkr./-

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

