

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53955 of 2021

Arising Out of PS. Case No.-167 Year-2021 Thana- KHODAWANDPUR District- Begusarai

Kundan Kumar son of Ram Babu Mahto, resident of village West Bariyarpur,
P.S. Khodawandpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

WITH

CRIMINAL MISCELLANEOUS No. 54114 of 2021

Arising Out of PS. Case No.-167 Year-2021 Thana- KHODAWANDPUR District- Begusarai

Sanjeet Kumar son of Sri Ram Babu Mahto, resident of village Bariyarpur,
P.S. Khodawandpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 53955 of 2021)

For the Petitioner/s : Ms. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 54114 of 2021)

For the Petitioner/s : Mr. Lal Mani Sharma, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

2 06-05-2022 Applicant Kundan Kumar in Cr. Misc. No.53955 of 2021 and applicant Sanjeet Kumar in Cr. Misc. No.54114 of 2021 are accused in Crime No.167 of 2021 registered with Khodawandpur Police Station for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act. By these applications they are seeking their release on bail during



pendency of the trial.

Heard the learned counsel appearing for the applicants/accused and the learned Additional Public Prosecutor for the State.

According to the prosecution case, house of the applicants came to be raided and 495 liters of Indian Made Foreign Liquor came to be seized.

Investigation of the subject crime is over. The applicants are not having any criminal antecedent. They are behind bars from 29.07.2021. Hence, their further pretrial detention is not warranted and, therefore, the order :-

i. The application is allowed.

ii. The applicants/accused in Crime No. 167 of 2021 registered with Khodawandpur Police Station be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) each and on furnishing surety of the like amount to the satisfaction of the trial court by each with the following conditions: -

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

(II) The applicants/accused should cooperate the



trial court in expeditious disposal of the trial against him.

(III) The applicants/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) 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 applicant/accused.

(A. M. Badar, J)

Mkr./-

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