

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53249 of 2021

Arising Out of PS. Case No.-65 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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1. Gopal Ray, Son of Sashi Ray @ Gunjan Ray, Resident of Village- Nirsa, P.S.- Nirsa, District- Dhanbad (Jharkhand).
 2. Dara Singh, Son of Bhim Singh, Resident of Halkatta, P.S.- East Kunda, District- Dhanbad (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar Jha, Advocate

For the Opposite Party/s : Md. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

2 15-04-2022 The applicants/accused in Excise Comp Case No. 65 of 2021 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, by this application are seeking their release on bail during pendency of the trial.

Heard both sides.

According to the prosecution case, the Excise Department had intercepted a truck, which was being driven by the applicant no. 1 Gopal Ray. The applicant no. 2 Dara Singh was its Conductor and that truck was found to be loaded with Indian made foreign liquor in the quantity of 1305 litres.

The investigation of the subject crime is over. The



applicants are not having any criminal antecedent. Hence their further pretrial detention is not warranted. As such, the order :-

i. The application is allowed.

ii. The applicants/accused in Excise Comp Case No. 65 of 2021 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) each on furnishing surety of the like amount to the satisfaction of the trial court 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 them so as to dissuade them 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 them.

(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 applicant



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 appellants/accused.

Bhardwaj/-

(A. M. Badar, J)

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