

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53863 of 2021

Arising Out of PS. Case No.-132 Year-2021 Thana- DIDARGANJ District- Patna

1. RAJENDRA SINGH Son of Amar Singh Resident of Village- Mithadi Kesari Singh, P.S.- Raygarh, District- Churu (Rajasthan)
2. AMAN KUMAR Son of Om Prakash Resident of Village- Jhuppakala, P.S.- Jhuppakala, District- Bhiwani (Haryana)

... .. Petitioners

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dr. Satyendra Kumar Srivastava, Advocate
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 22-04-2022 The applicants/ accused in Crime No. 132 of 2021 registered with Didarganj Police Station for the offences punishable under Sections 30(a), 36, 41(1) of the Bihar Prohibition and Excise Act, 2018 by this application are seeking their release on bail during pendency of the trial.

Heard both sides.

According to the prosecution case, police received secret information that illicit liquor is being transported in an ambulance. That is how the ambulance was intercepted and both the applicants were apprehended while fleeing from that ambulance. Total 957.24 litres of illicit Indian made foreign liquor came to be seized from that ambulance.



Investigation of the subject crime is over. The applicants are reportedly not having any criminal antecedents. Therefore, further pre-trial detention of the applicants is not warranted and hence, the order:-

i. The application is allowed.

ii. The applicants/accused in Crime No. 132 of 2021 registered with Didarganj Police Station (Special Case No. 3625/2021) for the offences punishable under Sections 30(a), 36, 41(1) of the Bihar Prohibition and Excise Act, 2018, be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount by each of them 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 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 applicants/accused.

(A. M. Badar, J)

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