

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53698 of 2021

Arising Out of PS. Case No.-336 Year-2021 Thana- KUCHAIKOTE District- Gopalganj

1. NARENDRA SINGH SON OF LATE NARAYAN SINGH RESIDENT OF VILLAGE- PARIHAR @ BADIHARA , P.S- RATANGARH, DIST- CHURU @ CHIRU RAJASTHAN
2. BAJRANG LAL JAAT @ BAJRANG LAL KHILERI SON OF GONGRAJ @ GONGRAJ KHILERI RESIDENT OF VILLAGE- PARIHAR @ BADIHARA, P.S- RATANGARH , DIST- CHURU @ CHIRU RAJASTHAN
3. RATAN SINGH SON OF MANSINGH RESIDENT OF VILLAGE - PARIHAR @ BADIHARA, P.S- RATANGARH, DIST- CHURU @ CHIRU RAJASTHAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baijnath Sah, Adv.
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in connection with Kuchaikot P.S. Case No. 336 of 2021 registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act.

Recovery is of 247.680 liters of foreign liquor.



Learned counsel appearing for the petitioners submits that the petitioners, who are of clean antecedent, are innocent and have falsely been implicated in this case. In fact, nothing has been recovered from the conscious possession of the petitioners rather the alleged recovery has been made from the dickey of the bus in question of which the petitioners are said to be driver, co-driver and conductor. Neither the petitioners have any concern with the alleged recovery nor they are indulged in any illegal activity of dealing with the alleged liquor. The petitioners are rotting in judicial custody since 12.06.2021.

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, above named, petitioners 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 A.D.J.-II -cum- Special Excise Judge, Gopalganj in connection with Kuchaikot P.S. Case No. 336 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 bond 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.

(3) Both the bailors shall be the resident of territorial jurisdiction of the court below.

(4) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioners have concealed their 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)

braj/-

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

