

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54148 of 2021

Arising Out of PS. Case No.-183 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Saran

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1. Harish Kumar Son of Amar Singh Resident of G/541, Shakurpur, P.S.-
Netaji Subhsh Nagar, Delhi.
 2. Abinash Kumar Son of Pappu Mistri Resident of Jaidipur Harebigaha, P.S.-
Islampur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Ranjan

For the Opposite Party/s : Mr. Bharat Lal

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-01-2022 Let the defects, if any, be removed within four
weeks of the complete start of the Physical Court.

Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners seek bail in a case registered in connection
with Saran Excise Case No 183 of 2021 for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act 2016.

On secret information, 1242 liters illicit foreign made
liquor was recovered from ambulance which was seized by the
police. Petitioners were arrested in the said ambulance.

Learned counsel for the petitioners submits that



petitioners have clean antecedent and have been falsely implicated in this case. It appears from the F.I.R that nothing has been recovered from their conscious possession, the said recovery has been made from Ambulance bearing Registration No. A16D-7061. After investigation police submitted charge sheet against the petitioners. Petitioners are in custody since 07.08.2021.

The learned A.P.P opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties and period of detention of the petitioners, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge, Excise, Saran in connection with Excise Case No. 183 of 2021, subject to 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 cancelled 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. 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 their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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)

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