

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55451 of 2021

Arising Out of PS. Case No.-56 Year-2021 Thana- RISIYAP District- Aurangabad

1. BENJAMIN MARANDI Son of Sunil Marandi Resident of Village- Chitu, P.S. - Gomiya, District - Bokaro (Jharkhand).
2. Amit Tudu Son of Maikel Tudu Resident of Village- Chitu, P.S. - Gomiya, District - Bokaro (Jharkhand).

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioners	:	Ms. Leelawati Kumari, Advocate.
For the State	:	Mr. Md. Mushtaque Alam, A.P.P.

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

2 04-03-2022 The applicants are given out of turn hearing because examination of the applicant no.2 for ITI is scheduled to be held from 08.03.2022 to 12.03.2022.

The applicants are accused in Crime No.56 of 2021 registered with Police Station-Risiup for the offences punishable under Sections 420, 120B of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Heard both sides.

It is reported that the applicants are not having any criminal antecedents and they were Driver and Conductor of the pickup van.



It is case of the prosecution that on the basis of secret information, that pickup van came to be accosted and after checking of the same, it was found to be transporting about 900 liters of Indian Made Foreign Liquor.

The investigation of the subject crime is over. The applicants are not having any criminal antecedents. The charge-sheet has already been filed. Hence, I see no reason to refuse bail to the applicants. Therefore, the following orders:

(i). The application is allowed.

(ii). The applicants/accused in Crime No.56 of 2021 registered with Police Station-Risiup for the offences punishable under Sections 420, 120B of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018, be released on bail on executing P.R. bond of Rs.10000/-(Rupees Ten Thousand) and 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 should not extend any threat, promise or 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 should cooperate the trial in expeditious disposal of the trial against them.
- (III). The applicants 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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