

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57379 of 2021

Arising Out of PS. Case No.-37 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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1. Nitish Kumar S/O Late Vijay Prasad R/V- Hajrat Sain, P.S.- Dhanarua, Distt.- Patna
 2. Rajeev Ranjan S/O Sri Ranjan Kumar @ Ranjan Yadav R/V- Kurji Pul, P.S.- Digha, Distt.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

4 18-02-2022 The applicants are given out of turn hearing on the ground that wife of applicant No.1 is suffering from kidney ailment.

The applicants are accused in Crime No. 37 of 2021 registered with P.R. Digha Police Station for the offences punishable under Sections 30(a)/32(1)/41(1)/41(2) of the Bihar Prohibition and Excise Act. By this application they are seeking their release on bail during pendency of the trial.

Heard the learned counsel appearing for the applicants/accused as well as learned Additional Public Prosecutor appearing for the State.

It is case of the prosecution that the applicants were



travelling in the goods vehicle carrying with them illicit liquor of more than 110 liters of quantity.

Investigation of the subject crime is over. The application contains statement that the applicants are not having criminal antecedent. They are undergoing pretrial detention from 08.06.2021.

In this view of the matter, I see no reason to refuse bail to the applicants and, therefore, the order :-

- i. The application is allowed.
- ii. The applicants/accused in Crime No. 37 of 2021 registered with P.R. Digha Police Station, giving rise to Special Case No.3464 of 2021, 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 him so as to dissuade him 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 him.

(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 applicant/accused.

(A. M. Badar, J)

Mkr./-

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