

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46658 of 2022

Arising Out of PS. Case No.-257 Year-2022 Thana- MANJHI District- Saran

1. Raushan Kumar S/o Prem Kumar Sah Resident of- Chaklad, P.S.- Tajpur,
District- Samastipur
2. Prashant Kumar Sah S/o Dhrup Sah R/o village- Mahisor, P.S.- Jandaha,
Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate.
For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-10-2022 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. Amresh Kumar Sinha, learned counsel for the petitioners and learned APP for the State.

The petitioners seek regular bail, who are in custody in connection with Manjhi P.S. Case No. 257 of 2022, registered for the offences punishable under Section 414 of the Indian penal Code and under Sections 30, 30(a), 38 and 41(i) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

In course of vehicle checking, the police intercepted a Santro car bearing Registration No. BR-03-AH-1279 and on



search 99 liters of Indian made foreign liquor was recovered. The petitioners were apprehended at the spot, who were sitting in the car in question.

Learned counsel appearing on behalf of the petitioners submits that nothing has been recovered from the person or possession of the petitioners, however on the alleged date of occurrence, when the raid was conducted, the people started fleeing from the place of occurrence and in course of chase the petitioners were apprehended and their name has been implicated in this case on suspicion. He further submits that the petitioners have neither any concern with the vehicle in question nor with the illicit recovered liquor. He next submits that the petitioners having fair antecedent, are in custody since 16.07.2022, though the investigation of the crime is already complete and the charge-sheet has been submitted.

On the other hand learned APP for the State vehemently opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the fact that the investigation of the crime is already complete and the charge-sheet has been submitted and there is no likelihood of commencement of the trial in near future, apart from the fact that the petitioners have



no concern with the vehicle in question, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise, Court, Saran at Chapra in connection with Manjhi P.S. Case No. 257 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioners with further conditions which are as follows:-

(i) The petitioners will cooperate in conclusion of the trial.

(ii) They will remain present on each and every date of trial till disposal of the case.

(iii) They will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, their bail bonds will liable to be cancelled.

(Harish Kumar, J)

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