

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49228 of 2022

Arising Out of PS. Case No.-206 Year-2022 Thana- ROHTAS District- Rohtas

1. ARBIND SINGH S/O LATE ANIRUDH SINGH Resident of Village- Ruphatha, P.S.- Amjhar, District- Rohtas.
2. SANJAY RAM S/O DINA RAM Resident of Village- Ruphatha, P.S.- Amjhar, District- Rohtas.
3. PURNAWASI RAM S/O NAGINA RAM Resident of Village- Ruphatha, P.S.- Amjhar, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Singh
For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-09-2022 Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

Heard learned counsel for the petitioners and learned A.P.P. for the State in virtual court proceeding.

The petitioners seek bail in connection with Amjhar (Rohtas) P.S. Case No. 206 of 2022 registered for the offences punishable under Section 30(a)(c) of Bihar Excise Amendment Act, 2018.

As per prosecution case, 100 litre country-made liquor as well as instruments for preparing liquor was recovered from the place of occurrence and the petitioners were



apprehended on spot along with others.

Learned counsel for the petitioners submits that petitioners are in custody since 09.06.2022 and bear no criminal antecedent. He further submits that nothing has been recovered from the conscious possession of the petitioners and they have been falsely implicated in the case due to village politics. Petitioners have no concern with seized recovered liquor and article. There is no compliance of Section 100 of Cr. P.C. Seizure list has not been made as per law.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Excise Court, Rohtas at Sasaram in connection with Amjhar(Rohtas) P.S. Case No. 206 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or



mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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