

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51712 of 2022

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

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1. CHANDAN KUMAR SON OF MAHANGU RAM VILLAGE
RAMDIHRA P S AMJHORE DISTRICT ROHTAS
 2. JOKHAN RAM S/O KRIT RAM VILLAGE RAMDIHRA P S AMJHORE
DISTRICT ROHTAS

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mithilesh Kumar Singh

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 30-09-2022 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 Rohtas
(Amjhore) P.S. Case No. 206 of 2022 registered for the offences
punishable under Section 30(a) (c) of the Bihar Prohibition and
Excise Act.

As per prosecution case, there is alleged recovery
of 100 liter country made liquor from furnace and the petitioners
and others were apprehended on the spot.

Learned counsel for the petitioners submits that



petitioners are in custody since 09.06.2022. Petitioners bear no criminal antecedent. He further submits that co-accused Arbind Singh, Sanjay Ram and Purnawasi Ram have already been granted bail vide Cr. Misc. No. 49228 of 2022 and the case of present petitioners stands on similar footing.

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

Considering the facts and circumstances of the case, period of custody, keeping in view the clean antecedent of the petitioners, argument advanced on behalf of both sides, similarly situated co-accused persons have been granted bail 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 Exclusive Special Excise Court No. II-cum-Additional Sessions Judge, Rohtas at Sasaram in connection with Rohtas (Amjhore) 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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