

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63437 of 2021

Arising Out of PS. Case No.-193 Year-2021 Thana- CHAKAI District- Jamui

1. Mukesh Kumar Singh, Son of Ashok Prasad, Resident of Village - Sector 12E Hanuman Nager Bokaro (Jharkhand).
2. Butan Kumar, Son of Bhuwan Singh, Resident of Village - Sector 12E Hanuman Nager Bokaro (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar, Advocate
For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-05-2022 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in connection with Chakai P.S. Case No.193 of 2021 instituted for the offence punishable under Sections 272, 273 of the Indian Penal Code and Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

169.50 litres illicit liquor has been recovered from the car in which the petitioners were allegedly travelling from Jharkhand to the State of Bihar.

Counsel for the petitioners submits that the car does not belong to either of the petitioners. The petitioners are merely passengers in the car. They have no concern with the



alleged recovery of the illicit liquor as is evident from the narration of the prosecution case, which shows that the Driver has fled away. Petitioners in the circumstance have become the victims. They are having no criminal antecedents and are in custody since 22.09.2021. Investigation is also complete.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, the fact that the investigation is complete and the period of custody, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for bail of the petitioners is allowed.

Let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-II, Jamui, in connection with Chakai P.S. Case No.193 of 2021, subject to the following conditions:

- (i) That one of the bailors of each of the petitioners will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the



address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

This Court would expect that the petitioners’ counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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