

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65411 of 2021

Arising Out of PS. Case No.-244 Year-2021 Thana- RAFIGANJ District- Aurangabad

1. DILIP KUMAR @ VIKASH PASWAN S/o Janeswar Paswan Resident of Village- Barahi Bazar, P.S.- Pouthu, District- Aurangabad.
2. Ranjay Kumar Son of Muneshwar Paswan Resident of Village- Barahi Bazar, P.S.- Pouthu, District- Aurangabad.

... .. Petitioners

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rupa Kumari

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-03-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioners seek bail in connection with Rafiganj P.S. Case No. 244/ 2021 registered for the offences punishable under Sections 30(a)/ 34 of Bihar Prohibition and Excise Act (Amended), 2018.

There is recovery of altogether 5295 litres of illicit country made liquor from the truck and Scorpio jeep.

Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that altogether 5295 litres of country made liquor was recovered from the truck and Scorpio in question. He further submits that nothing have been recovered from conscious possession of the petitioners and the petitioners are neither owner nor driver of the vehicles in question. He further submits that petitioners are in custody since 23.08.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II cum Special Judge (Excise), Aurangabad in connection with Rafiganj P.S. Case No. 244/2021, subject to the following conditions:-

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason,



their bail bond shall be cancelled by the Court below.

2. 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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