

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57275 of 2022

Arising Out of PS. Case No.-342 Year-2022 Thana- RAMPUR District- Gaya

1. RAMKRIT SINGH SON OF LATE SHIV LAL SINGH Resident of Village- Paharpur, Police Station- Khizersarai, District- Gaya
2. SANJAY CHAUDHARY SON OF SOHRAI CHAUDHARY Resident of Village- Saidpur, Police Station- Khizersarai, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 25-11-2022 Heard Ld. counsel for the petitioners and learned

APP for the State.

The petitioners seek bail in connection with Rampur

P.S. Case No. 342 of 2022, registered for the offences

punishable under Sections 414/34 of the IPC and 30 (d) of

the Bihar Prohibition and Excise (Amendment) Act, 2018.

As per allegation, 31.05 quintal Mahua flower

contianed in 70 sacks each contaning 45 kg is recovered

from the Pick-up van bearing Registration No. BR01GC-

4933.

The Ld. counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in this case. They further submit that neither the petitioners were apprehended at the spot nor any incriminating recovered from possession of the petitioners.

The petitioners have been languishing in jail since 10.07.2022.

It is also stated in paragraph no. 2 of the petition that the petitioners have never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioners have no criminal antecedent.

However, the Ld. APP for the State vehemently opposes the prayer of the petitioners for bail.

Considering the aforesaid facts and circumstances, the petitioners, above-named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Ld. Court of Exclusive Special Excise Court No. 1, Gaya, in connection with Rampur P.S. Case No. 342 of 2022 on the following conditions:



(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, the learned court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is



wrong, the learned court below shall cancel the bail bond of the petitioners.

The application stands allowed accordingly.

The Ld. counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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