

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56644 of 2022

Arising Out of PS. Case No.-100 Year-2020 Thana- JAGDISHPUR District- Bhojpur

1. Satyendra Singh @ Satendra Singh Son of Ambika Singh, R/o Village- Narayanpur, P.S.- Jagsishpur, Distt.- Bhojpur
2. Manish Kumar Son of Deep Narayan Singh, R/o Village- Narayanpur, P.S.- Jagsishpur, Distt.- Bhojpur
3. Pradeep Kumar @ Pandey @ Pradeep Pandey Singh @ Pradeep @ Pandey Singh Son of Gulab Singh, R/o Village- Narayanpur, P.S.- Jagsishpur, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual mode.

The petitioners seek regular bail in connection with
Excise Case No. 702 of 2020 arising out of Jagdishpur P.S. Case
No. 100 of 2020, lodged under Sections 30(a), 30(d) of the
Bihar Prohibition and Excise Act.

As per prosecution case, the total recovery of 85 liter
of *desi mahua* wine along with articles relating to preparation of
wine have been made, which is subject matter of the present

case.

Learned counsel for the petitioners submits that antecedents of the petitioners are clean and as per seizure list the recovery has not been made from the possession of petitioners, rather it has been recovered from a public place i.e. bank of *Chari* river situated at the south of Shiv Temple. Learned counsel further submits that petitioners are in custody since 05.05.2022 and charge-sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Exclusive Special Excise Court, Bhojpur at Ara in connection with Excise Case No. 702 of 2022 arising out of Jagdishpur P.S. Case No. 100 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioners shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates

without sufficient cause, shall be resulted into cancellation of their bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioners.

C. The petitioners shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of their present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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