

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55340 of 2022

Arising Out of PS. Case No.-125 Year-2022 Thana- JURAWANPUR District- Vaishali

Prabhat Singh @ Tuntun Singh S/o Sri Rain Bahadur Singh, Resident of
Village- Raghopur West, P.S. Jurawanpur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 55364 of 2022

Arising Out of PS. Case No.-125 Year-2022 Thana- JURAWANPUR District- Vaishali

Bindu Singh Son Of Ram Kishori Singh, R/o Village- Raghopur West, P.S.-
Jurawanpur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

(In Criminal Miscellaneous No. 55340 of 2022)

For the Petitioner/s : Mr. Bhola Kumar, Adv.

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

(In Criminal Miscellaneous No. 55364 of 2022)

For the Petitioner/s : Mr. Dharendra Kumar, Adv.

For the Opposite Party/s : Mr. Asha Kumari, 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
Jurawanpur P.S. Case No. 125 of 2022, lodged under Sections
Sections 30(a) of the Bihar Prohibition and Excise Act, 2018
read with Sections 272/273 of the Indian Penal Code.

As per prosecution case, the total recovery of 200 liter
of country-made liquor have been made from the possession of

the petitioners.

Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. He further submits that petitioners were not apprehended from the place of occurrence rather upon chase, police has caught them. Learned counsel further submits that there are two criminal cases pending against the petitioner of Cr. Misc. No. 55340 of 2022 in which he is on bail and petitioner is in custody since 07.08.2022.

Learned counsel for the petitioner of Cr. Misc. No. 55364 of 2022 submits that petitioner has one criminal antecedent in which he is on bail. He also submits that recovery has not been made from the shop of this petitioner rather it is made in front of the shop of the petitioner which is kept in abandoned house.

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 In-Charge P.O. Special Excise

Court-2-Cum-Additional District and Sessions Judge, Hajipur, Vaishali in connection with Jurawanpur P.S. Case No. 125 of 2022, 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 his 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 bonds that they shall not involve in such criminal activity during the continuance of present bail bonds, violation of this condition shall be resulted into cancellation of their present bail bonds.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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