

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 67521 of 2021

Arising Out of PS. Case No.-235 Year-2021 Thana- MOUZAHDIPUR District- Bhagalpur

1. RAVINDRA KUMAR S/o Subodh Sah R/o village- Chak Hussaini, P.O. and P.S.- Mansi, Distt.- Khagaria
2. Gurav Kumar S/o Kameshwar Kumar Manjhi Permanent R/o village- Khanpur Mal, P.S.- Bath (Sultanganj), Distt.- Bhagalpur. At Present residing at Village- Chak Hussaini, P.O. and P.S.- Mansi, District- Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Pawan Kumar Singh, Advocate
For the Opposite Party/s : Mr Kalyan Shankar, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 02-06-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor (for brevity, *APP*) appearing for the State of Bihar.

The petitioners seek bail in Mojahidpur Police Station (for brevity, *PS*) Case No 235 of 2021 dated 29.08.2021 registered for the offence punishable under Section 30 (a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

For alleged recovery of 56.340 liters foreign liquor from these two petitioners, they have remained in custody since 30.08.2021.

It is submitted that the petitioners have falsely been implicated in this case. They have clean antecedent and that



investigation is complete.

The learned APP has opposed the prayer for bail.

Considering the rival submissions, quantum of recovery as also fair antecedent, this Court, for the purposes of grant of bail, is, thus, inclined to accept the submissions advanced by the petitioners' counsel. Prayer for bail is allowed. Let the petitioners, above named, be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge (Excise Act), Bhagalpur in Mojahidpur PS Case No 235 of 2021 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor 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 bond will be liable to be cancelled.

Learned counsel for the petitioners is expected to honour his undertaking given in the instant proceedings today



for depositing requisite Court fee and removing the defect (s), as
pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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