

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67525 of 2021

Arising Out of PS. Case No.-381 Year-2021 Thana- KUCHAIKOTE District- Gopalganj

1. Md. Wazir Son of Md. Khalil Resident of Village - Kharka, P.S.- Runni Saidpur, Distt.- Sitamarhi.
2. Md. Gulam Ali Son of Naseer Resident of Village - Dhankaul, P.S.- Piprahi, Dist.- Sheohar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra, Advocate
For the Opposite Party/s : Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

3 15-02-2022 The applicant/accused is given out of turn hearing on the ground that wife of applicant Md. Wazir is about to deliver a child as she is in advance stage of delivery.

The applicants/accused are accused in Crime No. 381 of 2021 registered with Kuchaikot Police Station for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act. By this application they are seeking their release on bail during pendency of the trial.

Heard the learned counsel appearing for the applicants/accused. He argued that applicants are not having any criminal antecedent and investigation of the subject crime is over. They are undergoing pretrial detention from



09.09.2021.

The learned Additional Public Prosecutor opposed the application by contending that the applicants had kept concealed more than 80 liters of Indian made foreign liquor in the vehicle in which they were travelling.

The investigation of the subject crime is over. The charge sheet has been filed. According to the learned counsel for the applicants they are having clean antecedent and that statement is accepted.

In this view of the matter, I see no reason to refuse bail to the applicants and therefore, the order :-

- i. The application is allowed.
- ii. The applicants/accused in Crime No.381 of 2021 registered with Kuchaikot Police Station be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) each on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicants/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicants/accused should cooperate the



trial court in expeditious disposal of the trial against him.

(III) The applicants/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicants should not repeat commission of similar offence in future and if they are found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicants in the instant case.

The applicants to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

Mkr./-

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