

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 68092 of 2021

Arising Out of PS. Case No.-351 Year-2020 Thana- RIGA District- Sitamarhi

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1. ARVIND KUMAR @ LAPPU S/O SHIV SHANKAR RAI R/o village-
Punaura, P.S.- Punaura, District- Sitamarhi
 2. Niraj Kumar S/o Shambhu Baitha R/o village- Punaura, P.S.- Punaura,
District- Sitamarhi
 3. Gulsan Kumar S/o Ramchandar Ray R/o village- Punaura, P.S.- Punaura,
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr.Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the
Advocates joined the proceedings through Video Conferencing from their residence.)

2 12-01-2022 Heard learned counsel for the petitioners and learned
counsel for the State.

Petitioners, who are in custody, seek bail in a case
registered for the offence punishable under Section 414 of the
Indian Penal Code and Section 30(a) of Bihar Prohibition and
Excise Act, 2016.

Petitioner had earlier moved this Court for regular bail
vide Cr. Misc. No. 23999 of 2021 which was rejected on
26.07.2021 with liberty to petitioners to renew their prayer for
bail after one year of custody in jail.

Allegation is recovery of 675 litres of Nepali Saufi wine from a car which was being boarded by the petitioners.

It has been submitted on behalf of petitioners that they are innocent and have been falsely implicated in this case. Petitioners have no criminal antecedents and are in custody since 29.11.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount to the satisfaction of learned Additional District & Sessions Judge II-cum-Special Judge (Excise), Sitamarhi, in connection with Riga P.S. Case No. 351 of 2020, subject to conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for

cancellation of bail of the petitioners.

(4) If petitioners are found involved in similar nature of offences, after their release on bail the trial court shall take steps to cancel their bail bonds.

(S. Kumar, J)

Rajiv/veena-

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