

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1056 of 2022

Arising Out of PS. Case No.-297 Year-2021 Thana- MAIRWAN District- Siwan

1. RAJEEV KUMAR S/o Sahdev Mahto R/o Village- Gangapur, P.S.- Musarigharari, District- Samastipur.
2. VIRENDRA CHAUDHARY @ BIRENDRA KUMAR CHAUDHARY S/O KAMESHWAR CHAUDHARY R/o village- Laskara, P.S.- Tajpur, Distt.- Samastipur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy
For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 01-06-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the stamp reporter within one month.

Heard learned counsel for the petitioners as well as learned APP for the State.

In this case, the petitioners are seeking regular bail in connection with Mairwa P.S. Case No. 297 of 2021, registered for the offences punishable under Section 30 (A) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners has submitted that the petitioners were gratuitous passengers and travelling by taking lift by a vehicle, which was intercepted by police and illicit liquor was recovered from that vehicle. He has submitted further that petitioners



were not aware of the liquor loaded in that vehicle. They are persons of clean antecedents and they are under custody since 21.09.2021.

Considering the clean antecedents as well as the period of custody, **let the petitioners above-named be released on bail only after verifying their antecedents** on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge II-cum-Special Judge, Excise Act, Siwan in connection with Mairwa P.S. Case No. 297 of 2021, subject to the following conditions:-

(i) The petitioners shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) At the time of furnishing bail bond, the petitioners shall file an affidavit to the effect that they shall not indulge themselves in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioners and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

SONALI/-

U		T	
---	--	---	--

