

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 61931 of 2022**

Arising Out of PS. Case No.-144 Year-2022 Thana- MAJORGANJ District- Sitamarhi

1. Satyendra Kumar Son Of Lakhan Kumar Singh @ Ram Lakhan Singh R/O Village- Balua, Post Office Sirauli, P.S.- Riga, District- Sitamarhi
2. Dipanshu Kumar Son Of Umesh Thakur R/O Village- Balua, Post Office Sirauli, P.S.- Riga, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Mukesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

2      02-12-2022                      Heard learned counsel for the petitioners and  
  
learned APP for the State.

The petitioners seek bail in connection with  
  
Majorganj P.S. Case No. 144 of 2022, registered for the  
  
offences punishable under Sections 272, 273 of the Indian  
  
Penal Code and Sections 30(a) of the Bihar Prohibition and  
  
Excise Act, 2016.

As per allegation, 90 litres of liquor has been  
  
recovered from a motorcycle.

The learned counsel for the petitioners submits that  
  
the petitioners are innocent and have falsely been implicated



in this case. He further submits that the petitioner are neither the driver nor the owner of the vehicle whereas they are passerby. He also submits that nothing has been recovered from the conscious possession of the petitioners.

The petitioners have been languishing in jail since 04.06.2022.

It is also stated in paragraph no. 2 of the petition that the petitioners have never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated that the petitioners have no criminal antecedent.

However, the learned APP for the State vehemently opposes the prayer of the petitioners for bail.

Considering the aforesaid facts and circumstances, the petitioners, above-named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Ld. Special Judge, Exclusive Special Excise Court I, Sitasmarhi in connection with Majorganj P.S. Case No. 144 of 2022 on the following



conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, the learned court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court



below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioners.

The application stands allowed accordingly.

The learned counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

**(Jitendra Kumar, J)**

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