

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26883 of 2023

Arising Out of PS. Case No.-63 Year-2023 Thana- FATEHPUR District- Gaya

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1. PAPPU KUMAR SINGH SON OF RAMDEO PRASAD SINGH @ RAMDEO SINGH RESIDENT OF VILLAGE- BARO TAND, PO-MURANA, PS- RAJDHANWAR, DISTT- GIRIDIH (JHARKHAND)
 2. SANDEEP KUMAR RAWANI SON OF RAM RATAN @ RAM RATAN RAWANI RESIDENT OF VILLAGE- LAKHIBAGI DARJICHAK, PS-KODARMA, DISTT- KODARMA, JHARKHAND

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha
For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in connection with Fatehpur P.S. Case No. 63 of 2023 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

As per prosecution case, there is alleged recovery of 43.500 litre foreign liquor from black coloured car in question and both petitioners were apprehended on the spot.

Learned counsel for the petitioners submits that petitioners are quite innocent and have committed no offence as alleged against them in FIR and they have falsely been



implicated in the present case. He further submits that petitioners are in custody since 24.01.2023 and bear no criminal antecedent.

The learned A.P.P. for the State opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioners above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, Gaya in connection with Fatehpur P.S. Case No. 63 of 2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or



the witnesses, in that case, the prosecution will be at liberty to
move for cancellation of bail.

(Alok Kumar Pandey, J)

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