

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47682 of 2023

Arising Out of PS. Case No.-727 Year-2021 Thana- SARAIYA District- Muzaffarpur

1. Santosh Kumar S/O Raghuveer Rai R/O Village- Dhanrajpur, Ps. Saraiya, Distt. Muzaffarpur
2. Arun Kumar S/O Raghuveer Rai R/O Village- Dhanrajpur, Ps. Saraiya, Distt. Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar, Adv.
	:	Mr. Shambhoo Kumar Suman, Adv.
For the Opposite Party/s	:	Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 15-09-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners seek regular bail in connection with Saraiya P.S. Case No. 727 of 2021 corresponding to G.R. No.- 1951 of 2021 lodged under Sections 272, 273, 284, 328, 307, 302, 34, 120B of the I.P.C. read with Sections 30A, 30C, 37B of the Bihar Excise and Prohibition Act, 2016.

3. Learned counsel for the petitioners submits that petitioners' bail application has been earlier rejected vide order dated 11.11.2022 passed in Cr. Misc. No. 47801 of 2022 with liberty to the petitioners to renew their prayer for bail after 6 months of framing of charge.

4. Counsel submits that charge has been framed in this case on 13.12.2022 and thereafter, 6 months has already been lapsed.

5. Counsel further submits that the other accused persons have also been granted bail by the Co-ordinate Bench of this Court which is Annexure-4 series.

6. Learned counsel for the State opposes the prayer for bail, but submits that charge has been framed and 6 months have already been lapsed.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Spl. Judge(Excise), Court No.II, Muzaffarpur in connection with Saraiya P.S. Case No. 727 of 2021 corresponding to G.R. No.- 1951 of 2021, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive

dates without plausible reason will entail cancellation of their bail bonds by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J.)

prakashmani/-

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