

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64969 of 2023

Arising Out of PS. Case No.-103 Year-2023 Thana- BHELDI District- Saran

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1. Arjun Singh son of Dashrath Singh Village- Chilmilaiya Ps- Dhibramau Dist- Kannauj U.P
 2. Sudhir Rajput son of Birpal Village- Chilmilaiya Ps- Dhibramau Dist- Kannauj U.P

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Anupam, Adv.

For the Opposite Party/s : Mr. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-10-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

3. The petitioners seek regular bail in connection with
Bheldi P.S. Case No. 103 of 2023 dated 13.04.2023, lodged
under Sections 420, 467, 468, 471, 120B of the I.P.C. read with
Sections 30(a)/ 32/ 36/ 41 of the Bihar Prohibition and Excise
Act, 2018.

4. Learned counsel for the petitioners submits that the
bail application of the petitioners have earlier been rejected vide
order dated 14.07.2023 passed in Cr. Misc. No. 42509 of 2023

in which liberty was granted to them to renew their prayer for bail after framing of charge in this case.

5. Learned counsel for the petitioners further submits that the charge has already been framed in this case on 10.08.2023 and one month has been lapsed.

6. Learned counsel for the State opposes the prayer for bail and submits that it is true that the charge has already been framed in this case.

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 Only) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-cum-Exclusive Special Excise Court-I, Saran at Chhapra in connection with Bheldi P.S. Case No. 103 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show their *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.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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