

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64926 of 2022

Arising Out of PS. Case No.-120 Year-2022 Thana- KARAKAT District- Rohtas

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1. Vijay Dom, S/O Rajendra Dom, Resident of village- Kerma, P.S.- Karakat, District- Rohtas.
 2. Akshay Dom, S/O Rajendra Dom, Resident of village- Kerma, P.S.- Karakat, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-01-2023 Today being Friday, matters are being taken up through virtual mode as per current procedure for hearing.

Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in connection with Karakat P.S. Case No.120 of 2022 instituted for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The petitioners have fled away upon seeing the police party. It is alleged that they have thrown bags being carried on their head, from which there is alleged recovery of 80 litres country liquor (*Mahua*).



Learned counsel for the petitioners submits that the petitioners have been arrested on suspicion. In fact, they had not abandoned the liquor and there were merely passers-by. Having no antecedents, they are in custody since 12.07.2022.

Learned APP for the State has opposed the prayer for bail.

Having regard to the manner of recovery, submissions advanced by the parties, period of custody, and the fact that investigation is complete, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for bail of the petitioners is allowed.

Let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.1, Rohtas at Sasaram, in connection with Karakat P.S. Case No.120 of 2022, subject to the following conditions:

- (i) That one of the bailors of each of the petitioners will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the



address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

(Madhuresh Prasad, J)

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