

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70939 of 2023

Arising Out of PS. Case No.-252 Year-2023 Thana- KEWATI District- Darbhanga

1. Pappu Kumar Son Of Dashrath Sahni R/O Village- Dhoighat, P.S.- Sadar, District- Darbhanga
2. Rita Devi Wife Of Pyare Sahni R/O Village- Mani Balha, P.S.- Keoti, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidya Nath Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners seek regular bail in connection with
Keoti P.S. Case No. 252 of 2023 lodged under Sections 30(a) of
Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution case, the total recovery of
315 liter *Nepali* wine has alleged to be made, which is subject
matter of the present case.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have committed no offence. He
submit that petitioners are resident of rural area and they have
taken lift on the said Scorpio and they were completely unaware



that what is loaded in the said vehicle.

5. Counsel for the petitioners submits that petitioners are in custody since 03.09.2023 having clean antecedent.

6. Learned counsel for the State opposes the prayer for bail.

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 Special Judge-I (Excise Act), Darbhanga in connection with Keoti P.S. Case No. 252 of 2023, subject to the following 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 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.)

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