

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34812 of 2024

Arising Out of PS. Case No.-44 Year-2024 Thana- SANHAULA District- Bhagalpur

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1. Vipin Kumar Son of Gulo Mandal Resident of village - Kasmara, P.S.- Dhamdaha, Distt.- Purnea
 2. Bablu Kumar Son of Sushil Yadav Resident of village - Karouti, P.S.- Udakishunganj, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-05-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners seek regular bail in connection with
Sanhaula P.S. Case No. 44 of 2024, lodged on 22.03.2024,
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018

3. As per the prosecution, total recovery of 117 litres
of liquor from two vehicles has been the subject matter of the
present case.

4. Learned counsel for the petitioners submits that
petitioners are innocent and have committed no offence.
Counsel further submits that recovery of 45 litres of liquor has



been made from the vehicle in which petitioners were sitting. Counsel further submits that petitioners are in custody since 23.03.2024 having no criminal antecedent.

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

6. In the present facts and circumstances of this case and the submissions made above, let the petitioners, above named, be granted bail **only after framing of the charge, if not framed**, 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 Excise Judge-II, Bhagalpur, in connection with Sanhaura P.S. Case No. 44 of 2024, 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)

Mkr./Ankit

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