

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41848 of 2016

Arising Out of PS.Case No. -373 Year- 2016 Thana -DIHRINAGAR District- SASARAM (ROHTAS)

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1. Guddu Kumar @ Raja Babu son of Nepal Sao @Gopu Singh Resident of Village- Darihat, P.S.- Darihat District- Rohtas(Sasaram) Petitioner

Versus

1. The State of Bihar Opposite Party

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with

Criminal Miscellaneous No.42091 of 2016

Arising Out of PS.Case No. -373 Year- 2016 Thana -DIHRINAGAR District- SASARAM (ROHTAS)

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1. Raushan Kumar @ Devanand son of Rajendra Singh resident of Village- Balbhadarapur, P.S.- Darihat, District- Rohtas (Sasaram).. Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

(In Cr.Misc. No.41848 of 2016)

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

(In Cr.Misc. No.42091 of 2016)

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Opposite Party/s : Mr. Satyendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 06-10-2016 Above noted both the applications have arisen out of one occurrence and, as such, they have been heard together and are being disposed of by this common order.

The petitioners seek bail in connection with Dehri (Town) P.S. Case No. 373 of 2016 registered for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and Section 47(a) (e) and 50 of Bihar Excise (Amendment) Act, 2016.

Allegedly, from the dickey of Hyundai i10 car wherein the four accused persons including the petitioners were coming 190 pouches of country made liquor each containing 200 ml. total about 38 liter of Jharkhand Excise were recovered.

Submission is that the petitioners have got no concern with the recovered articles, they were not knowing regarding those articles kept in dickey of the car, the car neither belongs to the petitioners nor they are associated with the said vehicle. The car belongs to brother of Ranjit Kumar @ Munna who has been granted regular bail by the learned court below itself vide B.P. No. 786 of 2016. No offence as alleged is made out and, as such, they deserve sympathetic consideration as they are in custody since 22.7.2016 to which the learned A.P.P. opposes by submitting that the petitioners were also in the said car.

In the facts and circumstances stated above, petitioners are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Learned S.D.J.M, Dehri-on-Sone, Rohtas at Sasaram in connection with Dehri (Town) P.S. Case No. 373 of 2016, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the

petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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