

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49124 of 2016

Arising Out of PS.Case No. -345 Year- 2016 Thana -BARACHATTI District- GAYA

1. Md. Saif Ali @ Saif Ali, Son of Md. Zafruddin Ali, Resident of Mohalla- Eqbal Nagar, Panchaiti Akhara, P.S. Kotwali, District Gaya.
2. Md. Naushad Son of Md. Munna, Resident of Mohalla- Eqbal Nagar, Pani Tanki, P.S. Kotwali, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh 1, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioners and
learned APP for the State.

Petitioners are languishing in custody for offences punishable under Sections 272/273/12B of the Indian Penal Code and Section 47(a)/48(2)/54(63 of the Bihar Excise (Amendment) Act, 2016.

Foreign liquor was allegedly recovered on 04.09.2016 from the vehicle of which petitioners were attributed as driver and co-passenger.

Submission is that on the alleged date of recovery possession of foreign liquor was not an offence.

Considering the aforesaid, let petitioners, above



named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati, Gaya/ Successor Court, in connection with Barachatti P.S. Case No.345 of 2016.

Petitioner shall file undertaking at the time of furnishing of the bail-bond before the Court-below that they would not indulge themselves in such activity otherwise the Court below shall be at liberty to take steps for cancellation of the bail-bonds of the petitioner in this case.

(Birendra Kumar, J)

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