

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13900 of 2017

Arising Out of PS.Case No. -526 Year- 2016 Thana -MASAURHI District- PATNA

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1. Ram Kishore Kumar @ Moni Son of Ram Naresh Prasad, Resident of Village- Asharfganj, Police Station- Dhanarua, District- Patna.
 2. Subodh Kumar, Son of Ashok Prasad, Resident of Village- Sakarpura, Police Station- Dhanarua, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi

For the Opposite Party/s : Mr. Rajeev Nayan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 15-05-2017 Heard the parties.

The petitioners seek regular bail in connection with Masaurhi P.S.Case No.526 of 2016 registered for offences punishable under Sections 30(K) of Bihar Excise Amendment Act.

Allegation against the petitioners is that from their Vehicle 360 ltrs. of foreign liquor have been recovered.

It is submitted on behalf of the petitioners that the petitioners are Driver and 'Khalasi' and it will appear from the F.I.R. itself that they have nothing to do with the seized materials and further they are in custody for about five months. Petitioners have no criminal antecedent.

Heard learned A.P.P. also.



Having heard both sides and in view of the fact that they are Driver and '*Khalasi*' as well as they have clean antecedent and remained in custody for about five months, as such, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of S.D.J.M., Masaurhi in connection with Masaurhi P.S.Case No.526 of 2016.

With following conditions :

- (i) One of the bailorss of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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