

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 41276 of 2017

Arising out of P.S. Case No.-515 Year-2017 Thana-
KHAZANIHAT District- Purnia

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1. Raj Kumar Gupta @ Raju, Son of Dilip Prasad Gupta,
Resident of Mohalla- Ram Nagar.
 2. Mithu Kumar Pandit, Son of Late Basudeo Pandit,
Resident of Village- Harda Bazar, Both P.S.- K.Hat
(Maranga), District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Adv.

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 25-08-2017

Heard learned counsel for the petitioners and
the State.

The petitioners seek bail in a case registered for
offences under Sections 272 and 273 of the Indian Penal Code
and Section 30 (a) of the Bihar Prohibition and Excise Act,
2016.

It is contended that as per allegation, 135.780
litres of foreign liquor were allegedly recovered from the pick
up van which was being boarded by two persons who disclosed
that the aforesaid foreign liquor belongs to the petitioners after
which the petitioners who were sitting on a motorcycle tried to



escape seeing the police party but they were apprehended by the police on chase. Petitioners claim that petitioner no. 2 is having clean antecedent, however, petitioner no. 1 is made accused in another case, i.e., K.Hat (Sahayak) P.S. Case No. 112 of 2017 for the offences under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition & Excise Act, 2016. It is urged that the petitioners are in custody since 24.07.2017.

Considering the facts and the circumstances of the case, the petitioners, above named are directed to be released on bail on their furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-VII-cum-Special Judge, Excise Act, Purnia in connection with K. Hat (Maranga) P.S. Case No. 515 of 2017 (Special Case No. 2023 of 2017) with a condition that if the petitioners, after their release in this case, are again found to be involved in criminal case of similar nature, the court concerned would be at liberty to take steps for cancellation of their bail bonds.

In view of the antecedent of the petitioner no. 1, he would be required to appear before the Superintendent of Police, Purnia within fifteen days of his release with a copy of



this order and every month thereafter for the next six months.
The conduct of the petitioner will be kept under watch in the
aforesaid period by the Superintendent of Police concerned and
if it is found wanting in any respect, a report shall be made to
the court concerned by him to initiate a proceeding for
cancellation of bail for reasons of misuse of bail. After reporting
to the Superintendent of Police, a certificate will be filed by the
petitioner before the court concerned which should be granted
by the Superintendent of Police concerned upon his appearance.

(Dr. Ravi Ranjan, J)

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