

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49160 of 2017

Arising Out of PS.Case No. -165 Year- 2017 Thana -HASPURA District- AURANGABAD

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1. Munna Kumar @ Avinash Kumar, Son of Pramod Prasad,
2. Trideo Kumar, Son of Late Bishundeo Mahto, Both resident of Village-
Itwan, P.S.- Haspura, District- Aurangabad.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 14-11-2017 Heard learned counsel for the petitioners.

This is an application for bail in connection with Haspura
P.S.Case No. 165 of 2017 registered for the offences punishable
under Sections 30(a), 33 and 38(1)(2) of Bihar Excise Act.

Allegation is of recovery of 96 litres of foreign liquor and
120 litres of spirit from the office of brick kiln and petitioners
were arrested at the spot when tried to flee away and at their
instance 40 litres of liquor has been recovered from the house of
one Pramod Kumar.

Submission of learned counsel for the petitioners is that
they have falsely been implicated in this case and they have no
criminal antecedent and remained in custody since 23.8.2017.
Further submission is that co-accused has been granted bail by a
co-ordinate Bench of this Court in Cr.Misc.No. 50506 of 2017,



vide order dated 18.10.2017.

Heard learned APP also.

Having heard both sides and in view of facts and circumstances, as stated above let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Additional District Judge-VII-cum-Special Judge, Excise Act, Aurangabad, in connection with Haspura P.S.Case No. 165 of 2017, subject to the following conditions :

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned,
- (2) If involvement of the petitioner in such type of cases is found in future, their bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

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