

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55888 of 2017

Arising Out of PS.Case No. -142 Year- 2017 Thana -AMAS District- GAYA

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1. Md. Yusuf, Son of Md. Kurban, Resident of Village- Danekala, P.S.- Padma, District- Hazaribagh (Jharkhand).
2. Md. Aslam, Son of Hajaruddin @ Md. Jahiruddin, Resident of Village- Kuti Pissi, Nawadih, P.S.- Padma, District- Hazaribagh (Jharkhand).

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan

For the Opposite Party/s : Mr. Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-11-2017 Heard learned counsel for the petitioners.

This is an application for bail in connection with Amas P.S.Case No. 142 of 2017 registered for the offences punishable under Sections 272, 273, 34 of the Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act, 2016.

Allegation as per FIR is of recovery of 880 litres of liquor from Sumo vehicle and petitioners are said to be driver and cleaner of the said vehicle.

Submission of learned counsel for the petitioners is that they are is only driver and cleaner and FIR shows that owner of the vehicle is some other person and petitioners have nothing to do with the seized articles and they are in custody for three months,



having no criminal antecedent.

Heard learned APP also.

Having heard both sides and considering the facts and circumstances of the case, let petitioners, 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 the Special Judge, Excise Act, Gaya, in connection with Amas P.S.Case No. 142 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 court concerned,
- (2) If involvement of the petitioners in such type of cases is found in future, their bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

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