**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**Criminal Miscellaneous No.56103 of 2017**

Arising Out of PS. Case No.-336 Year-2017 Thana- SHERGHATI District- Gaya

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1. Ayub Ansari, S/o Sri Balak Ansari, R/o Village- Bhita, Kake Road, P.S.- Gonda, District- Ranchi, Jharkhand.
2. Binod Munda @ Binod Munde S/o Late Bhondu Munda, R/o Village- Naya Sarai, P.S.- Jagarnathpur, District- Ranchi, Jharkhand.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Shankar Dayal Singh
For the Opposite Party/s : Mr. YOGENDRA KUMAR

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**CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN**

ORAL ORDER

2 23-11-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in a case registered for offences punishable under Sections 272, 273, 414 and 34 of the I.P.C and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

It is contended that, as per allegation, 426 litres of foreign liquor was recovered from a Tata 407 van. Petitioner no.1 is said to be driver, whereas, petitioner no.2 is Khalsi. It is contended that they were simply driver and khalsi and they do not have any connection with the illicit liquor. It is contended that petitioners no.2 is having clean antecedent and petitioner

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no.1 is involved in Mandar (Ranchi) P.S. Case No.106/2015 registered under Sections 25(1-b)a of the Arms Act in which he has already been granted bail. Both of them are in custody since 21.06.2017 and, as such, they have completed about 5 months in jail custody.

Having regard to the facts and the circumstances of the case and period of incarceration, the abovenamed petitioners are directed to be released on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Special Judge, Excise, Gaya in connection with G.R.. No. 1217/2017 arising out of Sherghati (Dovi) P. S. Case No. 336/2017 with a further condition that one of the bailors must be belonging to the State of Bihar.

Further, if the petitioners, after their release in this case, are again found to be involved in similar nature of case then the court concerned would be at liberty to take steps for cancellation of their bail bonds.

**(Dr. Ravi Ranjan, J)**

Sanjay/-

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