

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54767 of 2016

Arising Out of PS.Case No. -301 Year- 2016 Thana -GAYA RAIL P.S. District- GAYA

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Sarjun Kumar @ Sarju, S/o Kanhaiya Prasad @ Kanhaiya Yadav, resident
of village - Baghmandwa, P.S. Fatehpur, District – Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 30-01-2017 The application is for grant of bail in connection with

Gaya Rail P.S. Case No. 301 of 2016 instituted for the offence

under section 30 (a) of the Bihar Excise Amendment Act, 2016.

It has been submitted on behalf of petitioner that the
petitioner is quite innocent and has falsely been implicated in the
present case as nothing has been recovered from his possession
whereas allegation has been made that the Police arrested the
petitioner along with 300 pouchach containing 200 ml. country
made liquor. It has further been submitted by the petitioner that
even if it is accepted that there was recovery of 60 litres of country
made wine, the petitioner has remained in custody for more than
three months and he has no criminal antecedent.

Heard learned A.P.P. also. Learned A.P.P. has



opposed the prayer for bail of the petitioner.

Having heard both sides. In view of the fact that the petitioner has remained in custody for more than three months, the petitioner, Sarjun Kumar @ Sarju, be released on bail on furnishing bail bond of Rs. 25,000/-(Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, Rail Court, Gaya in connection with Gaya Rail P.S. Case No. 301 of 2016, subject to the condition that (i) one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of concerned court and (ii) the petitioner will cooperate in the disposal of the case and make himself available on each and every date as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, will make liable for cancellation of his bail bonds.

With the above observation, this petition is allowed.

(Vinod Kumar Sinha, J)

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