

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5491 of 2017

Arising Out of PS.Case No. -101 Year- 2016 Thana -NABINAGAR District- AURANGABAD

=====

1. Rahul Kumar, S/o Pradip Sharma
2. Rajesh Kumar @ Chhote, S/o Krishna Sharma, Both Resident of
Village- Sakhra, P.S. Dehrionson (Town), District- Rohtas at Sasaram.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Ashok Kumar Singh

For the Opposite Party : APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 10-02-2017 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody since 09.07.2016 in
connection with Nabinagar P.S. Case No. 101 of 2016 for the
offences alleged under Sections 27, 54, 57 of the Bihar Excise
Amendment Act, 2016.

3. It is submitted that the petitioners have been
falsely implicated and in any event petitioner no. 1 is only the
driver of the vehicle in question and not the owner of the vehicle or
the goods. Petitioner no. 2 was merely accompanying the petitioner
no. 1 in the vehicle being an acquaintance. Petitioners have already
suffered custody for more than six months and claim clean
antecedents.



4. Having regard to the entirety of the facts and circumstances of the case, let the petitioners above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Aurangabad, in connection with Nabinagar P.S. Case No. 101 of 2016, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners will be well represented on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/-

U		T	
---	--	---	--

