

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18663 of 2017

Arising Out of PS.Case No. -43 Year- 2017 Thana -BHAWANIPUR District- PURNIA

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1. Ajit Kumar, son of Jagarnath Paswan,
2. Shyam Kumar, son of Kameshwar Hasda, Both resident of Village- Ram
Bagh, P.S.- Sadar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Smt. Veena Rani Prasadd.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 09-05-2017 Heard learned counsel for the petitioners and learned
A.P.P. representing the State.

The petitioners seek bail in connection with
Bhawanipur P.S. Case No. 43 of 2017 registered for the offences
punishable under Sections 272 and 273 of the Indian Penal Code
and Section 30 (a) of Bihar Prohibition Excise Act, 2016.

Allegedly, the petitioners were apprehended and from
Maruti Suzuki Alto 800, 12 Liters of Royal Stage foreign liquor
was recovered. Co-accused Renu Yadav confessed that for last six
months she is indulged in selling wine.

Submission is of false implication and that the petitioners
have been made victim of the circumstances. They were



not knowing regarding the alleged article. The vehicle was hired by co-accused Renu Yadav and without any knowledge he loaded the wine in the dickey. The petitioners are in custody since 03.03.2017 and now they have been sufficiently penalized.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, above named petitioners are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge (Excise Act) Purnea in connection with Bhawanipur P.S. Case No. 43/2017 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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