

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14536 of 2017

Arising Out of PS.Case No. -229 Year- 2016 Thana -GAYGHAT District- MUZAFFARPUR

- =====
1. Santosh Kumar @ Bamma, S/o Late Ram Vinay Singh @ Bijli Singh,
Resident of Mohalla- Birauchha (Benibad), P.S.- Gaighat, District-
Muzaffarpur.
2. Raj Narayan Rai, S/o Bindeshwar Rai, resident of Mohalla- Hanuman
Nagar (Behind O.P.), P.S.- Gaighat, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Nagendra Prasad

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 29-03-2017 The petitioners are in custody since 24.01.2017 in connection with Gaighat P.S. Case No. 229 of 2016, registered for offences punishable under Sections 272, 273, 120(B) Indian Penal Code and Section 30(A) of Bihar Excise Act.

Allegation is of recovery of 144 bottles of liquor each containing 375 ML.

It has been submitted on behalf of the petitioners that they have been made accused in this case only on the basis of suspicion as the alleged on which the alleged recovery of liquor has been made, was running as private carrier vehicle of which petitioner no. 1 is the owner and petitioner no. 2 is the close relative of petitioner no. 2 and they had no knowledge about the



fact that the truck was loaded with liquor as the truck was being driven by the driver. Further the petitioners were not apprehended on spot and they have been languishing in judicial custody since 24.01.2017

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of allegation, period of custody and also that the petitioners have no criminal antecedents, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Muzaffarpur in connection with Gaighat P.S. Case No. 229 of 2016.

It is also made clear that if the petitioners again found involved in any of such offence, in future, prosecution will be at liberty to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

sunil/-

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

