

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.16287 of 2017**

Arising Out of PS.Case No. -15 Year- 2017 Thana -GOVINDPUR District- NAWADA

- =====
1. Deepak Kumar, Son of Late Makeswar Singh, R/o village - Belaw,  
P.S. Barbiga, District - Sheikhpura
  2. Kamal Kishore Singh, Son of Late Naresh Singh, R/o village - Achuara,  
P.S. Barh, District - Patna

.... .... Petitioners

Versus

1. The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Man Mohan Kumar

For the Opposite Party/s : Mr. Ajay Kumar Jha

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR  
UPADHYAY  
ORAL ORDER**

3      01-06-2017                      Heard learned counsel for the petitioners and the  
  
State

The petitioners are in custody in connection with  
Govindpur P.S. Case No. 15 of 2017 for the offence under  
Section 30(a) of the Bihar Prohibition and Excise Act.

The petitioners are in custody since 19.02.2017. The  
petitioner No.1 is the cleaner of the Auto bearing Reg. No. BR-  
01PD-9437, whereas the petitioner No.2 is the driver of the said  
Auto. It appears from the F.I.R. that the alleged wine was  
recovered from the Auto bearing Reg. No. BR-01PD-9437. In  
para-3 of the petition, it has been mentioned that petitioners have  
no criminal antecedent and in paragraph No.12 of the petition,



there is statement that petitioner no.2 is physically handicapped.

The paragraph 12 of the petition is as under:

*“That, admittedly the petitioners are poor persons belonging to two different districts but for their livelihood they were working together in plying the Auto as the petitioner No.2 is a 75% physically handicapped person”.*

Having regard to the facts, mentioned above, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nawada or his successor Court in connection with Govindpur P.S. Case No. 15 of 2017 on the condition that the petitioner shall co-operate in the trial and will not in any manner influence the evidence or the witnesses.

**(Anil Kumar Upadhyay, J)**

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