

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47150 of 2017

Arising Out of PS.Case No. -126 Year- 2017 Thana -MUFFASIL District- AURANGABAD

- =====
1. Arvind Kumar @ Arbind Kumar, son of Prasad Saw, resident of village Manhu, P.S. Chhatrapur, District Palamu (Jharkhand)
 2. Chhotu Kumar @ Chhotu Kumar Singh, son of Mukhdeo Ram, resident of village Mandeya, P.S. Chhatrapur, District Palamu (Jharkhand)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey

For the Opposite Party/s : Mr. Akhileshwar Dayal

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-09-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in connection with Aurangabad
Muffasil P.S. Case No. 126/2017 for offences punishable under
Sections 30(A)/38 of the Bihar Prohibition and Excise Act.

The prosecution case, as lodged by the police
personnel, is that during course of vehicle checking they
intercepted an Alto car and apprehended the petitioners. From the
car 480 litres of country-made liquor and 48 bottles each
containing 375 ml of foreign liquor was recovered. Accordingly, a
seizure-list was prepared.

It has been submitted by the learned counsel for the



petitioners that they are innocent, bear no criminal history and have been falsely implicated in the aforesaid case. In fact, they confessed that the illicit liquor did not belong to them but to some other persons and they were only carriers. He submits that petitioners are languishing in custody since 23.07.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.25,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-VII cum Special Judge (Excise), Aurangabad, in connection with Aurangabad Muffasil P.S. Case No. 126/2017, subject to the condition that both the bailors would be close relatives of the petitioners having sufficient immovable property, who will file an affidavit stating their relationship with the petitioners and if the petitioners indulge in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of their bail bonds.

(Nilu Agrawal, J)

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