

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.47169 of 2017**

Arising Out of PS.Case No. -201 Year- 2017 Thana -BHAGALPUR KOTWALI District-  
BHAGALPUR

- =====
1. Yusuf Alam @ Md. Yusuf Alam @ Pappu son of Md. Illiyas, resident of Mohalla-Salahuddin Chak, P.S. Habibppur, District-Bhagalpur.
  2. Gunjan Kumar Mishra, son of Chandan Shekhar Mishra, resident of Mohalla-Lalu Chak, Gumati No. 12, P.S. Ishakachak, District-Bhagalpur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashutosh Kumar

For the Opposite Party/s : Mr. Sri Zainul Abedin

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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 Kotwali  
(Tilkamanjhi) P.S. Case No. 201 of 2017 for offences punishable  
under Sections 30 (a) of the Bihar Prohibition and Excise Act  
2016.

The prosecution case, as lodged by the police  
personnel, is that during course of checking of vehicle a Scorpio  
vehicle was intercepted and from the vehicle three persons  
including the petitioners were apprehended. On search 225 liters  
of foreign liquor was recovered. Accordingly, the seizure list was  
prepared.



It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal history and are languishing in judicial custody since 01.05.2017. He submits that one of the co-accused has been granted privilege of bail by this Court in Cr. Misc. No. 34375 of 2017 on 09.08.2017.

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.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Bhagalpur in connection with Kotwali (Tilkamanjhi) P.S. Case No. 201 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioners having sufficient immovable property, who will file an affidavit stating his relationship with the petitioners and that 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)**

Devendra/-

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