

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48736 of 2017

Arising Out of PS.Case No. -663 Year- 2017 Thana -BIHTA District- PATNA

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1. Sushil Kumar, Son of Kisundev Ray,
 2. Akshay Kumar S/o Late Rajanand Ray, Both R/o Village- Khedalpura, P.O.&P.S.-Bihta, District- Patna.
 3. Vishal Kumar Chaurasiya @ Vishal Kumar Son of Anil Kumar Chourasiya , R/o Village- Gangipul, Gausganj, P.S.- Town, Ara, District- Bhojpur.
 4. Suddu Kumar Son of Basawan Ray, R/o Village- Pali, P.O.- Pareo, P.S.- Bihta, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Kant Kumar

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-10-2017 Heard the parties.

The petitioners seek regular bail in connection with Special Excise Case No.5877 of 2017 arising out of Bihta P.S.Case No.663 of 2017 registered for offences punishable under Sections 271 and 272/34 and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioners is about recovery of 39 ltrs. of foreign liquor from the motorcycle of the petitioners and also from the hotel.

Submission of the learned counsel for the petitioners is that the petitioners have been falsely implicated in this case. The



petitioners have no criminal antecedent and they have remained in custody for about one month.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Excise Case No.5877 of 2017 (arising out of Bihta P.S.Case no.663 of 2017).

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reason, their bail bond shall be cancelled.
- (iv) If their active participation is found in such type of cases in future, their bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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