

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9586 of 2017

Arising Out of PS.Case No. -103 Year- 2016 Thana -AMBA District- AURANGABAD

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1. Harendra Ram S/o Karamdeo Ram
 2. Md. Nasim S/o Md. Idarish
 3. Md. Wakil Ansari S/o Md. Ismail Ansari All Resident of Village-
Gamhari, P.S.- Mali, District- Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lal Bahadur Singh

For the Opposite Party/s : Mr. Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-04-2017 Heard the parties.

This application has been filed in connection with Amba P.S.case No.103 of 2016 dated 13.12.2016, G.R.No.2132 of 2016 for the offence under Sections 30 Ka and 37 Kha of Bihar Excise Amendment Act, 1916.

Allegation against the petitioners and other four co-accused persons is that they were arrested along with the Tempo and from that Tempo, 80 ltrs. of liquor recovery have been recovered and they have been apprehended there. It has been submitted on behalf of the petitioners that the petitioners were passengers. They have clean antecedent and they are in custody for about four months. The other co-accused persons have already been granted bail by



this Court, vide order dated 08.03.2017 passed in Cr. Misc. No.8943 of 2017 and dated 06.03.2017 passed in Cr. Misc. No.10003 of 2017.

Heard learned A.P.P. also.

Having heard both sides and in view of clean antecedent of the petitioners as well as the fact that they have remained in custody for about four months, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Aurangabad (Bihar) in connection with Amba P.S.Case No.103 of 2016 dated 13.12.2016.

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 reasons, the prosecution is free to move for cancellation of their bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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