

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18126 of 2017

Arising Out of PS.Case No. -44 Year- 2017 Thana -JHAJHA RAIL P.S. District- LAKHISARAI

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1. Rajesh Kumar Verma S/o Late Siyaram Saw, Resident of Village-Milki Hazipur, P.S.-Warshaliganj, District-Nawada, At Present Sunil Verma, S/o Late Rajendra Prasad Verma (Mousa), R/o Sansar Pokhar, Gandhi Muhalla, P.S. + District-Lakhisarai.

2. Manish KUMAR Verma S/o Late Umesh Prasad Verma Resident of Village-Akara, Jharkhand More, P.S.-Laiyabad, District-Dhanbad (Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Tiwary

For the Opposite Party/s : Mr. Sri Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-04-2017 The petitioners are in custody since 21.02.2017 in connection with Rail Jhajha P.S. Case No. 44 of 2017, registered for offences punishable under Sections 30(a)/38(1) of Bihar Excise (Amendment) Act.

Allegation against the petitioners is of recovery of 149 litres of country made liquor.

It has been submitted on behalf of the petitioner that they have falsely been implicated in this case and there is no recovery from their conscious possession, they have no criminal antecedent and have been in judicial custody since 21.02.2017.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of offence and period of custody and also they have no criminal antecedent, as such, let the



petitioners above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM, Kiul (Lakhisarai), in connection with Rail Jhajha P.S. Case No. 44 of 2017, subject to the 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 shall cooperate 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 will be free to move for cancellation of his bail.

It is also made clear that if the petitioners again found involved in any of the such offences, in future, prosecution will be free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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