

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6500 of 2018

Arising Out of PS.Case No. -248 Year- 2017 Thana -BAUSI District- PURNIA

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1. Rajesh Chaudhary, son of Late Saryug Chaudhary, resident of Village- Bishanpur Kanth, P.S. Mainapur, District Muzaffarpur.
2. Sunil Kumar, son of Narayan Prasad, resident of Village- Tajpur Saraiya, P.S. Rajapura, District- Motihari.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Praveen Kumar Agrawal, Advocates

For the Opposite Party : Mr. Rajendra Pd. Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-02-2018 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are in custody since 15.12.2017 in connection with Baisi P.S. Case No. 248 of 2017, Special Excise Case No. 3061 of 2017 for the offences alleged under Section 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. It is submitted that the petitioners have been falsely implicated in connection with the alleged recovery of approximately 180 litres of foreign liquor from the pickup van bearing Registration No. BR 064C/5583 of which the petitioners are driver and Khalasi, respectively. It is further submitted that no recovery has been made from the conscious possession of the petitioners who claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case and having regard to the period of custody of the above named petitioners since 15.12.2017, let them be released on bail on furnishing bail bond of Rs.10,000/-



(ten thousand) each with two sureties of like amount each to the satisfaction of learned 3rd Additional Sessions Judge-cum-Special Judge, Excise, Purnea, in connection with Baisi P.S. Case No. 248 of 2017, Special Excise Case No. 3061 of 2017 on the following conditions:-

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

B.T/Chandran

(Vikash Jain, J)

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