

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2677 of 2018

Arising Out of PS.Case No. -135 Year- 2017 Thana -MAINATAND District-
WESTCHAMPARAN(BETTIAH)

=====

1. Raju Gupta, son of Shyamlal Gupta.

2. Chandra Bhushan Pandey, Son of Bhairo @ Bhairo Pandey, Both residents of Village- Sindhawe, P.S. Tadkulwa, District- Deoria, Uttar Pradesh.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amarendra Nath Verma

For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 15-02-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are languishing in judicial custody since 05.11.2017 in connection with Mainatand P.S. Case No. 135 of 2017 for offences punishable under Sections 414/120B/34 of the Indian Penal Code read with Section 110 of the Customs Act.

The prosecution case, as lodged by the police



personnel, is that during patrolling duty, on information, they intercepted a truck and from the truck some bags of rice and 158 pieces of Khaira wood were recovered which was illegally being smuggled from Nepal. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioners that they are driver and Khalasi of the truck and one Chand Khan and Chandan had loaded the truck and they did not know Khaira wood was also loaded in the truck. He submits that they have no criminal history and are not owner of the truck and the goods and that charge-sheet has been submitted.

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 bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah, in connection with Mainatand P.S. Case No. 135 of 2017, subject to the conditions 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.

(Nilu Agrawal, J)

Devendra/-

U		T	
---	--	---	--

