

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65715 of 2018

Arising Out of PS. Case No.-195 Year-2018 Thana- DAGARUA District- Purnia

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1. Sunil Kumar son of Rajendra Das @ Rajendra Mishra, resident of village Bareta, P.S. Kasba, District- Purnea.
 2. Manohar Mistry son of Niranjana Misitry, resident of village Begumbari, P.S. Kasba, District- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Sri Bisheshwar Ram

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 30-10-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners, who are in custody, seek bail in connection with Dagarua P.S. Case No. 195 of 2018 giving rise to Special Excise Case No. 855 of 2018 registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation against petitioners is of recovery of 70.920 litres of foreign liquor from the Hunda City Car.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case. Petitioners have no criminal antecedent and they are in



custody since 26.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge cum Special Judge Excise, Purnea, in connection with Dagarua P.S. Case No. 195 of 2018 giving rise to Special Excise Case No. 855 of 2018 subject to the conditions that:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioners shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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