

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51693 of 2018

Arising Out of PS. Case No.-130 Year-2018 Thana- SARAI District- Vaishali

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1. Mukesh Kumar, S/o Baka Ram @ Baka Ray @ Banka Ram,
 2. Kavendra Kumar @ Kabendra Kumar S/o Gamara Ray, Both are
R/o Vill.- Nibbalcore, P.S.- Sendri, District- Barmer
(Rajasthan).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 05-10-2018

Heard learned counsel for the parties.

Petitioners seeks bail in **Sarai P.S. Case No. 130 of 2018** registered for the offence punishable under Sections 30(A)/35(A) of Bihar Prohibition and Excise Act, 2016 and Section 414/34 of the IPC.

Allegation against the petitioners is of recovery of 3720.950 Litres of illicit liquor from the vehicle driven by them.

It has been submitted on behalf of the petitioners that the petitioners are Driver and Khalashi of the vehicle and were not aware about illicit liquor kept in the vehicle. Petitioners have got no criminal antecedent and are in custody since 23.06.2018.

Considering the aforesaid facts and circumstances of



the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned **Additional Sessions Judge-cum-Special Judge, Hajipur, Vaishali**, in connection with **Sarai P.S. Case No. 130 of 2018**, with following conditions:-

(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 present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel their bail bond.

(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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