

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27893 of 2018

Arising Out of PS. Case No.-171 Year-2018 Thana- BARACHATTI District- Gaya

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1. Amit Kumar , son of Nandkishore Sao @ Nand Kishor Singh, resident of Mohallah – B.S.L.H. Bokaro, P.S. - C.T. Bokaro, District – Bokaro, State – Jharkahand
 2. Santosh Kumar Sharma @ Santosh , son of Late Bihari Sharma, resident of Mohallah – B.S.L.H. Bokaro, P.S. - C.T. Bokaro, District – Bokaro, State – Jharkahand

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mis Kriti Singh

For the Opposite Party/s : Sri Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 08-05-2018 Heard Miss Kriti Singh, learned counsel for the petitioners and Sri Ashok Kumar, learned Additional Public Prosecutor.

Two petitioners, with clean antecedent, which fact has been stated in paragraph no. 3 of the petition and are in custody since 5.3.2018 , have prayed for grant of bail in connection with Barachatti P.S. Case No. 171 of 2018 registered for the offence under Sections 279, 336, 337, 338 of the Indian Penal Code , 1860 and Section 30(a), 38, 47, 30(g) of the Bihar Excise (Amendment) Act, 2016.



It was submitted by learned counsel for petitioners that both petitioners were moving on a Maruti Van and just ahead of petitioners' vehicle one Indica Victa Car was moving. Both the vehicles were stopped by Police and search was conducted. It has been argued that though huge quantity of Indian make foreign liquor was found in the Indica Victa Car, however, maliciously, it was shown as if huge quantity of Indian make foreign liquor was loaded on the vehicle of petitioners and both the petitioners were arrested. It has been argued that both petitioners have falsely been implicated in the present case.

Sri Ashok Kumar, learned Additional Public Prosecutor, has vehemently opposed the prayer for grant of bail. However, he has not disputed the fact that in paragraph no. 3 of the petition petitioners have stated regarding their clean antecedent.

Considering the nature of accusation, clean antecedent of petitioners as well as period of custody, let both petitioners namely Amit Kumar and Santosh Kumar Sharma @ Santosh be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise (Gaya) /



concerned court in connection with Barachatti P.S. Case No.
171 of 2018.

(Rakesh Kumar, J)

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