

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64768 of 2018

Arising Out of PS.Case No. -172 Year- 2018 Thana -SAMSTIPUR RAIL P.S District-
SAMASTIPUR

- =====
1. Sanjeev Kumar, S/o Rakesh Kumar Raut, Resident of Vill- Bullupur, P.S.- Dehradun, District- Dehradun, at present House No.- 184, Gali No.-3, P.S.- Samaypur Badli North West Delhi- 110042.
 2. Sonu Kumar, S/o Rajendra Kumar, Resident of House No.- C-23/1 Yadav Nagar, P.S.- Samaypur Badli North-West Delhi- 110042.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Pronati Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 29-10-2018 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The Petitioners seek regular bail in connection with Samastipur Rail P.S. Case No. 172 of 2018, registered for offences punishable under Sections 30 (a) of the Bihar Excise Prohibition Act, 2016.

Allegation against the petitioners as per F.I.R. is of recovery of 19 liters of foreign liquor while he was traveling in train.

Submission of the learned counsel for the petitioner is that the petitioner has falsely been implicated in this case and no recovery has been made from his conscious possession rather the liquor has been recovered from the beneath of berth of the train. It is further submitted that the petitioner has no criminal



antecedent and the petitioner is in custody since 11.08.2018.

Heard learned A.P.P. who opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge,-6-cum- Special Judge, Excise Act, Samastipur in connection with Samastipur, P.S. Case No. 172 of 2018, subject to the following conditions:-

- i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- ii) The petitioner will not induce any witness or tamper with the evidence.

Iii) It is made clear that if petitioner found involved in any of the like offences, in future, prosecution is is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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