

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 75840 of 2018

Arising Out of PS. Case No.-403 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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1 Pankaj Kumar Keshri, son of Krishna Prasad Keshri
2 Ajay Kumar, son of Kishori Sao, residents of Village – Barhi, :PS – Barh,
District – Hazaribagh, Jharkhand

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in a case registered under
Sections 30 (a), 56 (b) of Bihar Prohibition and Excise Act.

It is submitted by the petitioners' counsel that the
recovery of alleged 45 liters of liquor has been made from the
Santro Car. Petitioners are neither owner nor driver of the car in
question. They were bona fide passengers and that they have no
connection with the recovery. The recovery in question is
contrary to the procedure prescribed under Section 100 of
Criminal Procedure Code.

Considering the aforesaid submissions and the facts



and circumstances of the case, petitioners' prayer for bail is allowed. Let the petitioners above named be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Gaya in Excise Case No 403 of 2018 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how they are related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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