

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55072 of 2018

Arising Out of PS.Case No. -493 Year- 2018 Thana -BARACHATTI District- GAYA

=====

1. Anil Kumar S/o Vinod Kumar
2. Monu Kumar S/o Naresh Prasad Both resident of Village - Badi Pahari,
P.S. Laheri, District - Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Ashok Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 25-10-2018 Heard learned counsel for petitioners and learned A.P.P.
for the State.

Petitioners seek bail in Barachatti P.S. Case No. 493/2018, registered for the offences punishable under Sections 420, 467, 468, 471 and 34 of the Indian Penal Code and sections 30(A), 38, 42 and 47 of Bihar Excise Act.

Allegation is recovery of 180 litres of country-made wine from the vehicle of three accused persons who were apprehended by the police. Allegation against petitioners is that they arrived at the place of occurrence and offered bribe to the police to let the apprehended accused free.

It has been submitted that petitioners have falsely been implicated in this case. Petitioners were not apprehended at the



place of occurrence. They have no concern with the seized wine or the said vehicle. Co-accused has been granted bail by a co-ordinate bench of this court vide order dated 30.08.2018 passed in Cr. Misc. No. 53529/2018.

Petitioners have no criminal antecedent. They are in custody since 24.07.2018.

Considering the facts aforesaid, the petitioners above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Special Judge Excise, Gaya in connection with Barachatti P.S. Case No. 493/2018, subject to the 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 bonds.
- (3.) If the petitioners tamper 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)

Vinita/-

U		T	
---	--	---	--

