

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19685 of 2018

Arising Out of PS. Case No.-19 Year-2018 Thana- BAUSI District- Purnia

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1. Rajesh Mandal, S/o Banarsi Mandal, R/o Bishanpur, P.S.- Begusarai Nagar, Distt.- Begusarai.
 2. Bablu Kumar S/o Bhaso Thakur, R/o Shahpur, P.S.- Chanan, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Gulnar Begam, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-04-2018 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

Petitioners seek bail in connection with Baisi P.S. Case No. 19 of 2018 registered for the offence punishable under Section 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition of Excise Act, 2016.

The prosecution case, as lodged by the informant-police personnel, is that on secret information, Maruti 800 vehicle of the petitioners was intercepted and from the vehicle 134.820 litres of foreign liquor was recovered. Petitioners were arrested on the spot.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal antecedent



and have been falsely implicated in the aforesaid case. He submits that nothing has been recovered from their conscious possession and that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioners.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioners, named above, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned A.D.J.- III-cum-Special Judge, Excise Act, Purnia in connection with Baisi P.S. Case No. 19 of 2018, subject to the conditions that:

(1) One of the bailors would be close relative of the petitioners having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioners.

(2) It is also made clear that if, in future, petitioners indulge in an offence of similar nature, the prosecution will



be at liberty to move the learned Court
below for cancellation of their bail
bonds.

(Nilu Agrawal, J.)

Arjun/Ragini

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