

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.245 of 2019**

Arising Out of PS. Case No.-69 Year-2018 Thana- NTPC KHAIRA District- Aurangabad

1. Sunil Ram aged about 41 years Gender-Male Son of Shiv Pujan Ram
2. Dhanji Kumar, aged about 18 years, Male Son of Dilip Ram Both are Resident of Village - Uchitpur, P.S.- Muffasil Sasaram, District - Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Kumar Sunil

For the Opposite Party/s : Mr.Sri Parmanand Prasad

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

3      24-01-2019                      Heard learned counsel for the parties.

Petitioners seek bail in **CIS No. 1182 of 2018 arising out of NTPC Khaira P.S. Case No. 69 of 2018** registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 198 litre of illicit liquor from a tempo. Petitioners were apprehended when they were trying to flee away from the said tempo.

It has been submitted on behalf of the petitioners that they are neither the owner nor the driver of the tempo. It has been further submitted that the petitioners were travelling as passenger in the said tempo. Nothing has been recovered from the possession of the petitioners. Petitioners have got no



criminal antecedent and are in custody since 05.12.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned **Additional Sessions Judge-VII cum Special Judge (Excise), Aurangabad**, in connection with **CIS No. 1182 of 2018 arising out of NTPC Khaira P.S. Case No. 69 of 2018**, with following 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 properly represented on each and every date fixed by the court.

(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.

(4). If the petitioners are found involved in similar nature of offence, after their release on bail, the trial court shall take steps to cancel their bail bonds.

**(S. Kumar, J)**

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