

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8181 of 2019

Arising Out of PS. Case No.-348 Year-2018 Thana- KUCHAIKOTE District- Gopalganj

1. Anil Kumar, aged about 28 years, Male, Son of Chunni Lal,
2. Pankaj Kumar, aged about 25 years, Male, Son of Sanjay Kumar
Both Resident of Village - Bhiwani, P.S.- Sadar, District- Bhiwani, State-
Haryana

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh
For the Opposite Party/s : Mr.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 27-02-2019 Heard learned counsel for petitioners and learned
counsel for the State.

Petitioners, who are in custody, seek bail in connection with Kuchaikote P.S. Case No. 348 of 2018 registered for the offences punishable under Sections 30 (a), (b), (c), 38, 41 (a) (b) of the Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 1307 liter 160 ml. illicit foreign liquor from the truck which was being driven by petitioner. Petitioner no. 1 is driver and petitioner no. 2 is cleaner.



It has been submitted on behalf of the petitioners that they are innocent and have committed no offence. They have no knowledge that illicit liquor has been kept in the truck. They have no criminal antecedent and are in custody since 19.11.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Gopalganj, in connection with Kuchaikote P.S. Case No. 348 of 2018, subject to 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 represented on each and every date fixed by the court.
- (3) If the petitioners tampers 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 offences, after their release on bail the trial
court shall take steps to cancel their bail bonds.

(S. Kumar, J)

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