

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9101 of 2019**

Arising Out of PS. Case No.-11 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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1. VIKRAM BIRENDRA AND ANR. S/o Late Ram Babu Sah Mohalla-Mithapur Bus Stand, P.S-Jakkanpur,
 2. Dhiraj Kumar S/o Sri Shambhu Prasad Mohalla-Mangla Gauri, P.S-Vishnupad,

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 06-03-2019 Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners, who are in custody, seek bail in connection with Excise Case No. 11 of 2019 registered for the offence punishable under Sections 30(a) and 56(b) of the Bihar Prohibition & Excise Act, 2016.

Allegation against petitioners is of recovery of 135 litres of foreign liquor from the vehicle of which petitioner No. 1 is owner and petitioner No. 2 is driver.

It has been submitted on behalf of the petitioners that they have been falsely implicated in this case and nothing was recovered from their conscious possession. Petitioners have



no criminal antecedent and they are in custody since 07.01.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya, in connection with Excise Case No. 11 of 2019 subject to the conditions that:-

(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 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 offences, after their release on bail the trial court shall take steps to cancel their bail bonds.

(S. Kumar, J)

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