

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11700 of 2019

Arising Out of PS. Case No.-57 Year-2018 Thana- KALER District- Jehanabad

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1. MONU KUMAR, aged about 22 years, (M) Son of Hemraj Resident of Village - Dandha/Dhana, P.S.- Sidhmukh, District- Choru/Churu (Rajasthan)
 2. Praveen Kumar, aged about 22 years, (M), Son of Jagdish Chand Resident of Village - Jupkalla, P.S.- Siwani Mandi, District - Bhiwani (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath, Adv.

For the Opposite Party/s : Mrs. Nirmala Kumari (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-03-2019 Heard learned counsel for petitioners and learned
counsel for the State.

Petitioners, who are in custody, seek bail registered
for the offences punishable under Sections 30(a) of Bihar
Prohibition and Excise Act, 2016.

Allegation is recovery of 709 liters of foreign
liquor from the Pick up van in which petitioners are driver and
Khalasi.

It has been submitted on behalf of the petitioners
that they are innocent and have committed no offence. They
have been falsely implicated in this case. Petitioner no. 1 is the



driver and petitioner no. 2 is the Khalasi of the said pick-up van and petitioners have no knowledge that what kind of article has been loaded in the said vehicle. Petitioners have no criminal antecedent and are in custody since 26.12.2018.

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/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Excise Case No. 1254 of 2018 arising out of Kaler P.S. Case No. 57 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 petitioner.
- (4) If the petitioners is found involved in similar nature of offences, after their release on bail the trial



court shall take steps to cancel his bail bonds.

(S. Kumar, J)

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