

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15657 of 2019**

Arising Out of PS. Case No.-48 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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1. ASHISH KUMAR DANGI, aged about 24 years, (M) Son of Ramdev Dangi Resident of Village - Arabhusai, P.S.- Kalkamsandi, Distt - Hazaribagh
 2. Suraj Kumar Saw @ Suraj Kumar, aged about 18 years, (M) Son of Santosh Saw Resident of Village - Karma, P.S.- Majurand, Distt - Chatra

... .. 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.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-04-2019 Heard learned counsel for the parties.

Petitioners, who are in custody, seek bail registered for the offences punishable under Sections 30(a) and 56 (b) of the Bihar Prohibition and Excise Act.

Allegation is of recovery of 1260 litre illicit *Sushaw* from a pick-up van which was being driven by petitioners.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case. Nothing has been recovered from their conscious possession. They have no concern with the alleged recovery.



They are driver and co-driver of the said vehicle and delivered consignment on direction or instruction of owner of said vehicle. Petitioners have got no criminal antecedent and are in custody since 03.02.2019.

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 court below where the case is pending in connection with **Excise Case No. 48 of 2019**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the court below.

(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 petitioner.

(4). If the petitioners is 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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