

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77629 of 2018

Arising Out of PS. Case No.-462 Year-2018 Thana- JAGDISHPUR District- Bhagalpur

1. Sanjay Thakur, S/o Devendra Thakur, R/o Vill.- Gaurachowki, P.S.- Jagdishpur, District- Bhagalpur.
2. Basuki Bhagat S/o Late Satya Narayan Bhagat, R/o Vill.- Naya Tola, Baijani, P.S.- Jagdishpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Advocate

For the Opposite Party/s : Smt. Asha Kumari (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 02-01-2019 Heard learned counsel for petitioners and learned counsel for the State.

Petitioners, who are in custody, seek bail in connection with Jagdishpur P.S. Case No. 462 of 2018 registered for the offence punishable under Section 30(A) of Bihar Excise (Amendment) Act 2016.

Allegation is recovery of 64 liters of country made liquor from the Auto of petitioners of which they are driver and co-driver.

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. The seized liquor does not belong to the petitioners. Petitioners have no criminal



antecedent and are in custody since 30.10.2018.

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 2nd Additional District and Sessions Judge-cum-Special Judge, Excise Act, Bhagalpur, in connection with Jagdishpur P.S. Case No. 462 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 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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