

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36451 of 2019

Arising Out of PS. Case No.-140 Year-2019 Thana- DAUDNAGAR District- Aurangabad

1. Raju Kumar aged about 20 years (M) Son of Mahesh Pandey Resident of Village - Gahora, P.S.- Babhandi, District- Palamu
2. Rohit Kumar aged about 24 years (M) Son of Rajendra Singh Resident of Village - Mahuari, P.S.- Nawdiha Bazar, District- Palamu

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mrs. Usha Kumari Singh, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 12-06-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners are in custody since 03.05.2019 in connection with Daudnagar P.S. Case No. 140 of 2019 for the offences alleged under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. It is submitted that the petitioners have been falsely implicated in connection with recovery of 290 litres of country made liquor. It is submitted that the petitioners have no connection with the vehicle from which recovery has been made. The seizure list does not contain the signature of any independent witness nor complies with the requirements of Section 100 of the Cr.P.C which creates considerable doubt about the veracity of the prosecution story. The petitioners have already suffered for more than a month in custody. The petitioners claim clean antecedents.

4. Be that as it may, let the petitioners above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand)



each with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge VII-cum-Special Judge, Excise Act, Aurangabad in connection with Daudnagar P.S. Case No. 140 of 2019, on the following conditions:-

(i) That one of the bailors of each of the petitioners shall be their close relatives .

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

BT/-

U		T	
---	--	---	--

