

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37897 of 2019

Arising Out of PS. Case No.-111 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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1. MD. SADIK @ MD. SADIQUE S/O Md. Rafik Resident of Village- Chhetaile, P.S.- Tetavi, District- Muzaffarnagar (U.P.).
 2. Rajbir S/O- Jaypal Resident of Village- Chhetaile, P.S.- Tetavi, District- Muzaffarnagar (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niraj Kumar

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

4 24-07-2019 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in Excise Case No. 111/2018, arising out of P.R. Case No. 11/2018-19, instituted under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

Earlier prayer for bail of petitioners was rejected by this Court vide order dated 26.11.2018 passed in Cr. Misc. No. 58465/2018 with liberty to renew prayer for bail after six months if no substantive progress is made in trial.

It is alleged in the written report that 3024 litres of illicit liquor of different Brands have been recovered kept



hidden in a Potato bag from the truck. Petitioners are said to be Driver and Khalasi of the aforesaid truck.

Report from the court below about stage of trial has been received, from which it appears that charge has not been framed in this case till date.

Petitioners are in custody since 09.06.2018.

Considering the aforesaid facts and circumstances, prayer of the petitioners for grant of bail is allowed. Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Muzaffarpur, in connection with Excise Case No. 111/2018, arising out of P.R. Case No. 11/2018-19, subject to the conditions that

- (I) both the bailors shall be the close relative of the petitioners.
- (II) Petitioners shall be present on each and every date fixed by the court and absence on two consecutive dates without valid reason will result in cancellation of bail bond of the petitioners and



(III) if petitioners tamper with the evidence
in the case, prosecution will be at
liberty to move for cancellation of bail
bond of the petitioners.

(Sanjay Priya, J)

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