

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39083 of 2019

Arising Out of PS. Case No.-269 Year-2018 Thana- ARA MUFFSIL District- Bhojpur

1. PAPPU SAH S/o Krishna Sah R/o village- Daulatpur, P.S.- Ara Muffasil, Distt.- Bhojpur
2. Dharamveer Danak S/o Hukumchand Danak R/o village- Dighrauta, P.S.- Sitnali, Distt.- Mahendragarh (Hariyana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 17-07-2019 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in Excise Case No. 1326/2018, arising out of Ara Muffasil P.S. Case No. 269/2018, instituted for offences under Sections 30(a) of the Bihar Prohibition and Excise Act.

Earlier prayer for bail of petitioners was rejected by this Court vide order dated 20.11.2018 passed in Cr. Misc. No. 61565/2018 with liberty to renew prayer for bail after six months if no substantial progress is made in trial.

As per written report, total 2144 litres of foreign liquor was recovered from truck. The petitioners are driver and



Khalasi of the aforesaid truck. They were apprehended on the spot. The seizure list bear signature of both these petitioners.

Report from the court below regarding stage of trial has been received, wherein it is mentioned that after framing of charge three witnesses have been examined.

Petitioners are in custody since 21.08.2018.

Keeping in view the period of custody spent by petitioners, 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 4th A.D.J.-cum-Special Judge, Excise, Bhojpur at Ara, in connection with Excise Case No. 1326/2018, arising out of Ara Muffasil P.S. Case No. 269/2018, 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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