

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 49305 of 2019

Arising Out of PS. Case No.-514 Year-2018 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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1. RAHUL KUMAR, Male, aged about 26 years, Son of Shyam Ram @ Shyam Sundar Ram Resident of Village - Kharidi Matihani, P.S.- Matihani, Distt - Begusarai.
 2. Navin Kumar, Male, aged about 35 years, Son of Ram Prakash Ram Resident of Village - Kharidi Matihani, P.S.- Matihani, Distt - Begusarai.
 3. Amit Kumar, Male, aged about 25 years, Son of Dilip Ram Resident of Village - Kharidi Matihani, P.S.- Matihani, Distt - Begusarai.
 4. Rohit Kumar, Male, aged about 25 years, Son of Laxmi Ram Resident of Village - Kharidi Matihani, P.S.- Matihani, Distt - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Ambastha

For the Opposite Party/s : Mr.Indra Kumar Singh

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

5 01-10-2019 Heard learned counsel for the petitioners and learned
APP.

Petitioners seek bail in a case registered under
Sections 30 (a) of Bihar Prohibition and Excise Act.

Allegation is that 12960 liters of banned liquor was
recovered from a truck. Petitioners were found sitting in the
truck whereas the driver managed to flee.

Learned counsel for the petitioners submits that the
petitioners bear clean antecedent and they were bona fide



passengers and did not know about the contents on the truck. Bail application filed by the petitioners earlier was rejected on 05.11.2018 with liberty to renew the prayer in case there was no substantive progress in the trial. Availing of such liberty, prayer has been renewed.

This Court, earlier on 07.08.2019, called for a report as regards the progress of the trial. Report has been received from the Court concerned. In the Report dated 03rd September 2019, it is stated that 05.09.2019 is fixed for prosecution evidence.

Since no substantive progress has taken place and petitioners are in custody since 08.08.2018, this Court is inclined to grant bail to the petitioners. Accordingly, let the petitioners above named be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge, Excise, Bhagalpur in Kotwali (Barari) Police Station Case No 514 of 2018 dated 08.08.2018, GR No 4374 of 2018 with the following conditions:

(1) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to



how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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