

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6165 of 2019

Arising Out of PS. Case No.-449 Year-2018 Thana- RUNISAIDPUR District- Sitamarhi

1. Monu Sharma Son of Harishankar Sharma, resident of village- Atrauli, P.S.- Atrauli, District Aligarh, UP
2. Pritam Pal Son of Late Narayan Singh Resident of Karwital, P.S. Atrauli, District Aligarh, UP

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 07-02-2019

Heard learned counsel for the parties.

Petitioners seek bail in Runisaidpur P.S. Case No. 449 of 2018 registered for the offence punishable under Section 30, 30 (G), 38 (I), (II) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 2885.94 litres foreign liquor from a truck which was being boarded by the petitioners.

It has been submitted on behalf of the petitioners that they have falsely been implicated in this case as petitioner No.1 is the driver and petitioner No.2 is co-driver of the aforesaid truck and they were driving the truck as per direction of their master and were not aware that illicit liquor is kept in the Truck. Petitioners have no criminal antecedent and they are in custody since 04.08.2018.

Considering the aforesaid facts and circumstances of



the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned A.D.J. II, Sitamarhi, Special Judge, Excise Act, Sitamarhi in connection with Runisaidpur P.S. Case No. 449 of 2018, with following 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 properly 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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