

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79579 of 2018

Arising Out of PS. Case No.-365 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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1. Rohan Yadav @ Rohan , son of Late Baban Yadav
2. Manoj Kumar, son of Sri Vishwanath Baitha.
Both are resident of Mohalla- Railway Colony, Chutiya, P.S. Chutiya,
District- Ranchi (Jharkahnad)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Sri Ajay Kumar -2 (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 08-01-2019 Heard learned counsel for petitioners sand learned
counsel for the State.

Petitioners, who are in custody, seek bail in
connection with Excise (Sherghati) P.S. Case No. 365 of 2018
registered for the offences punishable under Sections 30(a) and
56 (b) of the Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 32 liters of foreign liquor
from the vehicle of the petitioners.

It has been submitted on behalf of the petitioners
that they are innocent and have committed no offence.
Petitioners have been falsely implicated in this case. Nothing
has been recovered from the possession of the petitioners.



Petitioners have no criminal antecedent and are in custody since 03.10.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Gaya (Special Court Excise Act, Gaya), in connection with Sherghati P.S. Case No. 365 of 2018, subject to 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 represented on each and every date fixed by the court.
- (3) If the petitioners tampers 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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