

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68808 of 2019

Arising Out of PS. Case No.-474 Year-2019 Thana- PURNEA SADAR District- Purnia

1. VIKRAM KUMAR Son of Jai Kishun Singh Resident of Village - Mariya Rajweli, P.S.- Dagarua, Distt. - Purnea.
2. Santosh Choudhary Son of Suresh Choudhary @ Suresh Prasad Choudhary Resident of Village - Chatra P.S.- Dagarua, Distt. - Purnea.
3. Bikesh Kumar Choudhary @ Bikki Son of Neeru Lal Choudhary Resident of Village - Chatra P.S.- Dagarua, Distt - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-12-2019 Heard learned counsel for the parties.

Petitioners seek bail in a case registered for the offence punishable under Sections 272, 273 of the Indian Penal Code & section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

Informant who is a police officer has stated in his written report that on 12.09.2019, he received a confidential information that illicit liquor is being transported by Tata 407 mini truck and as there was breakdown of vehicle, the illicit liquor was unloaded and was being sold and 5 persons who were standing near the vehicle were apprehended. However,



nothing objectionable was recovered from their possession and 576 litre of illicit foreign liquor was recovered from the said vehicle.

It has been submitted on behalf of the petitioners that nothing has been recovered from their possession and they have been falsely implicated in this case as they were only passer boy and do not have any criminal antecedent and they are in custody since 13.09.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Sadar P.S. Case No. 474/2019 giving rise to Special Excise Case No. 796/2019 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners will co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason,



his bail bond shall be cancelled by the court below.

(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.

(S. Kumar, J)

Ranjeet/-

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