

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68058 of 2019

Arising Out of PS. Case No.-113 Year-2019 Thana- GURARU District- Gaya

1. SHAMBHU RAM, aged about 56 years (Male), Son of Narayan Ram
2. Aman Kumar, aged about 19 years (Male), Son of Shambhu Ram, both are Residents of Village- Sri Ram Nagar Charmari, P.S.- Dhansar, District- Dhanbad (Jharkhand).
3. Dilip Kumar, aged about 45 years (Male), Son of Late Bhuneshwar Prasad Singh, Resident of Mohalla- Dhaniya, P.S.- Nagar, District- Dhanbad (Jharkhand).

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Adv.

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners seek bail in a case registered for the offence punishable under Sections 30 (a), (b), (c) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioners submit that there is recovery of 192 pieces of 180 ml. wine, 63 bottles of 375 ml. wine, 22 bottles 375 ml. wine, total 111 bottles of 375 ml. and 192 bottles of 180 ml. wine and 140 pouches of 200 ml. desi wine and 9 bottles of King Fisher wine from the Ambulance.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 23.08.2019 and have no criminal



history mentioned in paragraph 3 of the bail application. No recovery from the conscious possession from the petitioners.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise (Gaya), in connection with Guraru P.S. Case No. 113 of 2019, subject to the 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 and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, 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.

(Anjani Kumar Sharan, J)

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