

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80347 of 2019

Arising Out of PS. Case No.-135 Year-2019 Thana- BAKHTIYARPUR RAIL P.S. District-
Patna

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1. MUKESH KUMAR S/O Sri Sidheshwar Singh Resident of Village - Sheikhpura Kaipura, P.S.- Khusrupur, District - Patna.
 2. Gautam Kumar S/O Sri Bachu Singh Resident of Village - Samanapar, P.S.- Khusrupur, District - Patna.
 3. Mukesh Kumar S/O Sri Kaushal Mahto Resident of Village - Mian Toli, P.S.- Khusrupur, District - Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Munni Kumar Moon
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-12-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners, in the present case, are seeking regular bail in connection with Special Case No. 7896/2019 arising out of Rail Bakhtiyarpur P.S. No. 135/2019 registered under Sections 34 of the I.P.C. and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioners submits that while petitioners were returning from Jhajha and at the time of leaving train at Patna Junction they have been arrested along with others on mere suspicion but nothing has been recovered from their conscious possession, and they are in custody since 03.09.2019



having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioners that petitioners were returning from Jhajha and at the time of leaving train at Patna Junction they have been arrested but nothing has been recovered from their conscious possession and that the petitioners have remained in custody since 04.09.2019 having no criminal antecedent if the co-accused have been granted regular bail by learned Coordinate Bench of this court in Cr. Misc. No. 72882/2019, let the above-named petitioners be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise and Prohibition Act, Patna, in connection with Special Case No. 7896/2019 arising out of Rail Bakhtiyarpur P.S. No. 135/2019, subject to the condition as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence



similar to the offence of which he is accused, or suspected, of
the commission of which he is suspected, and

(c) that such person shall not directly or indirectly
make any inducement, threat or promise to any person
acquainted with the facts of the case so as to dissuade him from
disclosing such facts to the Court or to any Police Officer or
tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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