

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74269 of 2019

Arising Out of PS. Case No.-734 Year-2019 Thana- DANAPUR District- Patna

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1. Amit Kumar, S/o Satya Narayan Ray
 2. Karmu Sah, S/o Late Shankar Sah
Both R/o village- Daudpur, P.S.- Shahpur, Distt.- Patna
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners in the present case are seeking regular bail in connection with Special Case No.8454 of 2019 arising out of Danapur P.S. Case No.734 of 2019 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioners are innocent and have falsely been implicated in this case. Learned counsel submits that no incriminating article has been recovered from the possession of the petitioners and they have no concern with the alleged motorcycle or seized wine.

Learned APP has opposed the prayer for bail.

Considering the facts and circumstances of the case



wherein it is the submission of the petitioners that it is the country made Mahua wine which is said to be recovered from their possession, they have no criminal antecedent and it is a case of false implication and they are in custody since 20.09.2019, let the petitioners above named be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No.8454 of 2019 arising out of Danapur P.S. Case No.734 of 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.

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(Rajeev Ranjan Prasad, J)

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