

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78401 of 2019

Arising Out of PS. Case No.-405 Year-2019 Thana- SIWAN MUFFASIL District- Siwan

1. RAHUL KUMAR Son of Chandeshwar Sah Resident of Village - Adama pur @ Adana pur, P.S.- Manjhagarh, District- Gopalganj.
2. Karan Kumar Son of Akhileshwar Patel Resident of Village - Bideshi Tola, P.S.- Thawe, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yogendra Prasad Sinha

For the Opposite Party/s : Mr.Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 02-12-2019 Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners, who are in custody, seeks bail in connection with Siwan Muffasil P.S. Case No. 405 of 2019 registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a), 41(i) of Bihar Excise Prohibition Act, 2016.

Informant is the police officer, who has alleged in his written complaint that on 26.10.2019 at about 5:00 PM while he was on patrolling duty, received a confidential information that two persons are transporting illicit liquor on Tata Magic and from said Tata Magic 55 litres of illicit country made liquor was



recovered and both persons sitting on said Tata Magic as a driver and co-driver were arrested.

It has been submitted on behalf of petitioners that they are driver and co-driver of the vehicle and was not aware that the illicit liquor has been kept in said vehicle. Petitioners have no criminal antecedents and are in custody since 26.10.2019.

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/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court below, in connection with Siwan Muffasil P.S. Case No. 405 of 2019 subject to the conditions that:-

(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 their absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel their bail bond.

(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)

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