

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79988 of 2019

Arising Out of PS. Case No.-523 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

-
1. Vikash Kumar Mishra Son of Shivji Mishra Resident of Village - Bishambharapur, P.S.- Mehsi, District - Motihari, East Champaran.
 2. Shashi Bhushan Kumar Yadav Son of Jokhan Prasad Yadav Resident of Village - Dhobauliya, P.S.- Chakia, District - Motihari, East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amit Kumar, Advocate

For the Opposite Party/s : Mr.Rita Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-12-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners in the present case are seeking regular bail in connection with Gopalganj Town P.S. Case No. 523 of 2019 registered for the offences punishable under Section 30(a), 41 (1) of the Bihar Prohibition and Excise Act and Section 414 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Learned counsel submits that the petitioners have no concern with the alleged recovery of illicit liquor and the seized vehicle.



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 the alleged recovery of liquor has been made from the car which belongs to Raju Pandey and not to these petitioners and that they are in custody since 15.10.2019 and charge-sheet has already been filed as also that co-accused have been granted regular bail by a learned Co-ordinate Bench of this Court in Cr. Misc. No. 74415 of 2019, let the petitioners above named be released on bail in connection with Gopalganj Town P.S. Case No. 523 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-cum-Special Judge, Excise, Gopalganj, 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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