

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.934 of 2019

Arising Out of PS. Case No.-183 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

1. Kallu Rai aged about 25 years S/o Ram lolin Rai R/o Sakin-Hajari Mohalla
Ranipur,P.S-Mehadiganj,Distt.-Patna.
2. Ranjeet Kumar, aged about 25 years, S/o Hoti Rai @ Moti lal r/o Sakin-
Batukeswar Dutt lane, P.S-Jakkanpur,Distt.-Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anshuman
For the Opposite Party/s : Mr.Sri Mustaque Alam

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 28-02-2019 Heard learned counsel for the parties.

Petitioners seeks bail in **Didarganj (Patna) Police**
Station P.R. No. 183 of 2018 (Special Case No. 11214 of 2018)
registered for the offence punishable under Section 30(a)/32(3)
of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioners is of recovery of
60.480 litre of Indian made foreign liquor from the dicky of the
vehicle in which they were travelling.



It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case. Nothing has been recovered from the possession of the petitioners. It has been submitted on behalf of the petitioners that the petitioners are neither the driver nor the owner of the vehicle in question rather they are passengers and were not aware about illicit liquor kept in the vehicle. Petitioner no. 1 has got no criminal antecedent and is in custody since 25.11.2018. However, petitioner no. 2 has got criminal antecedent of similar nature of offence and is in custody since 25.11.2018.

Considering the aforesaid facts and circumstances of the case, **let the petitioner no. 1** be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned **Special Judge Excise cum ADJ-IIInd, Patna**, in connection with **Didarganj (Patna) Police Station P.R. No. 183 of 2018 (Special Case No. 11214 of 2018)**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner 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 petitioner.

(4). If the petitioner is found involved in similar nature of offence, after his release on bail, the trial court shall



take steps to cancel his bail bond.

Petitioner no. 2 is having criminal antecedent of similar nature of offence, accordingly, **petitioner no. 2 is directed to be released on bail after completing six months of Jail custody** upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Special Judge Excise cum ADJ-IIInd, Patna**, in connection with **Didarganj (Patna) Police Station P.R. No. 183 of 2018 (Special Case No. 11214 of 2018)**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner 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 petitioner.

(4). If the petitioner is found involved in similar nature of offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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