

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77823 of 2018

Arising Out of PS. Case No.-160 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhagalpur

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1. Sunil Gupta son of Ram Lochan Gupta, resident of Village- Khagaria, P.s. + District- Khagaria.
 2. Ajay Jha son of Parsuram Pandey, resident of Village- Khagaria, P.s. + District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Smt. Pushpa Sinha (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 03-01-2019 Heard learned counsel for petitioners and learned
counsel for the State.

Petitioners, who are in custody, seek bail in connection with Excise Case No. 160 of 2018 registered for the offences punishable under Section 30(a) of Excise Act.

Allegation is recovery of 25.735 ml. liters of foreign liquor from the possession of the petitioners.

It has been submitted on behalf of the petitioners that they are innocent and have committed no offence. Petitioners have been falsely implicated in this case. Petitioners are bonafide passenger of the bus. Petitioners have no criminal antecedent and are in custody since 24.10.2018.



Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Bhagalpur, in connection with Excise Case No. 160 of 2018, subject to conditions:

- (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 represented on each and every date fixed by the court.
- (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.
- (4) If the petitioners are found involved in similar nature of offences, after their release on bail the trial court shall take steps to cancel their bail bonds.

(S. Kumar, J)

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