

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81579 of 2019

Arising Out of PS. Case No.-111 Year-2019 Thana- HASPURA District- Aurangabad

1. Umesh Kumar @ Umesh Prasad Son of Ramdayal Singh Resident of Village and P.O.- Gira, P.S. Obara District - Aurangabad.
2. Vishwajit Kumar Son of Dinesh Prasad Resident of Village - Hashpura, P.S. - Hashpura, District - Aurangabad.
3. Srinivas Prasad @ Srinivas singh Son of Jairam Prasad Resident of Village - Hashpura, P.S. - Hashpura, District - Aurangabad.
4. Nipu Kumar @ Nipu Prasad Son of Ram Parikha Singh Resident of Village - Hashpura, P.S. - Hashpura, District - Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Archana Sinha @ Archana Shahi, Advocate
For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in **Haspura P.S.**
Case No. 111 of 2019, registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2018.

Prosecution case is that on 23.08.2019, informant got
information that liquor is being unloaded from a truck bearing
registration no. RJ02GA-1511 near brick kiln and loaded into a
pick-up van bearing registration no. BR115-1192. 10127.52



litres of foreign liquor has been recovered from the brick kiln which is owned by the petitioners.

It is submitted by learned counsel appearing on behalf of petitioners that petitioners are neither owner nor driver of the said vehicles. Nothing has been recovered from conscious possession of the petitioners. Petitioners have got no concern with the seized liquor or the vehicles. Petitioners have got no criminal antecedent.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **Additional Sessions Judge VII-cum-Special Judge (Excise), Aurangabad** in connection with **Haspura P.S. Case No. 111 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the



Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper 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.

(Prabhat Kumar Singh, J)

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