

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.653 of 2020

Arising Out of PS. Case No.-622 Year-2019 Thana- PATNA GRP CASE District- Patna

1. PANKAJ RAI Son of Kishun Rai Resident of Village - Mirjapur, P.S.- Raghapur, Distt - Vaishali.
2. Ganesh Kumar Son of Bal Govind Swami @ Bal Govind Goswami, Resident of Village - Jogiya Tola, Gauriya Math, Durga Mandir Ke Pichhe wali Gali Me, P.S.- Gardanibagh, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manoj Kumar
For the Opposite Party/s	:	Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 20-01-2020 Heard learned counsel for the parties.

Petitioners seeks bail in a case registered for the offence punishable under Sections 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise (Amendment) Act, 2018.

Allegation is recovery of 260.53 litres illicit liquor from a tempo while two persons were loading illicit liquor concealed in sweet potato.

It has been submitted on behalf of the petitioners that petitioners are innocent and have falsely been implicated in this case. It has further been submitted that petitioners are labourers and were loading the consignment as they were told that the



sack contained sweet potato and they were not aware that illicit liquor has been concealed in it. Petitioners have no criminal antecedent and they are in custody since 18.11.2019.

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/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Special Case No.10249/2019 arising out of Patna Jn. (R. Nagar) P.S. Case No.622 of 2019 with following 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 properly represented on each and every date fixed by the court.

(3) 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.

(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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