

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1755 of 2020

Arising Out of PS. Case No.-650 Year-2019 Thana- PATNA GRP CASE District- Patna

1. Tuntun Kumar, Son of Shankar Ray,
2. Mantosh Rai @ Santosh Rai @ Mantosh Kumar Rai ,Son of Shyam Narayan Ray,
Both are Resident of Village- Mohanpur (Bichla Tola), Ward No. -11, P.S.- Raghapur, District- Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate
For the Opposite Party/s : Mr.Ashraf Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-01-2020 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 Special Case No. 10777 of 2019 arising out of Rail P.S. Patna Junction (Rajendra Nagar) Case No. 650 of 2019 registered for the offences punishable under Section 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Excise Amendment Act, 2018.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Learned counsel submits that no illicit liquor has been recovered from the conscious possession of the petitioners.



Learned A.P.P. for the State has opposed the prayer for bail.

Considering the submission that there is alleged recovery of 45 litres of illicit liquor from the possession of both the petitioners but the petitioners have no criminal antecedent and they are in custody since 02.12.2019, let on completion of statutory period of investigation the petitioners above named be released on bail in connection with Special Case No. 10777 of 2019 (arising out of Rail P.S. Patna Junction (Rajendra Nagar) P.S. Case No. 650 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 Special Judge, Excise, Patna, 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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