

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 2249 of 2020

Arising Out of PS. Case No.-336 Year-2019 Thana- KURSAKANTA District- Araria

1. DHANJEET KUMAR DAS Son of Padmanand Das Resident of Village - Madanpur, Dhokariya, P.S.- Madanpur, Distt - Araria.
2. Akhilesh Kumar Das Son of Jambu Das Resident of Village - Madanpur, Dhokariya, P.S.- Madanpur, Distt - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in Kursakanta Police Station (for brevity, *PS*) Case No 336 of 2019 dated 10.12.2019 instituted for the offence punishable under Section (s) 30 (a) of Bihar Prohibition and Excise Act, 2016.

15.300 liters of Nepali country made liquor is said to have been recovered from the motorcycle on which both the petitioners were travelling. Petitioners' counsel submits that having no criminal antecedent, the petitioners have been falsely implicated in this case. There is no compliance of Section 100 of Criminal Procedure Code and there is total denial of recovery.



Petitioners are in custody since 11.12.2019.

Considering the aforesaid, let the petitioners, above named, be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge, Araria in connection with Special Case No 1655 of 2019 arising out of Kursakanta PS Case No 336 of 2019 dated 10.12.2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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