

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 17936 of 2020

Arising Out of Excise Case No.-45 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

-
1. Guddu Kumar, Male, aged about 18 years, Son of Mosaheb Mahto @ Musay Mahto, Resident of Village - Suryapur, Ward No. 6, Baghwatola, P.O. - Jiwdhara, P.S.- Pipra Kothi, District - East Champaran.
 2. Chhotelal Sah, Male, aged about 30 years, Son of Late Vikau Sah, Resident of Village – Suryapur, Surujpur P.O. - Surujpur, P.S.- Pipra Kothi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pravin Kumar, Advocate
For the State	:	Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 29-05-2020

The matter has been heard *via* video conferencing due to lockdown imposed on account of the COVID-19 pandemic.

2. Heard Mr. Pravin Kumar, learned counsel for the petitioners and Mr. Sanjay Kumar Singh, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioners are in custody in connection with Pipro Kothi Excise Case No. 45 of 2020 dated 21.01.2020 instituted under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.



4. The allegation against the petitioners is that on a raid conducted on secret information by the police, from the Wagon- R bearing registration of Delhi, the petitioners were caught and 210 litres of country liquor was recovered.

5. Learned counsel for the petitioners submitted that they have been falsely implicated as they have no concern, either with the vehicle or the seized article. Learned counsel further submitted that the petitioners have no other criminal antecedent and are in custody since 21.01.2020.

6. Learned APP submitted that the petitioners were caught in the vehicle from which 210 litres of liquor has been recovered.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge IX-cum-Special Judge Excise, East Champaran, Motihari in Excise Case No. 45 of 2020, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioners, (ii) that the petitioners and the bailors shall execute bond with regard to good behaviour of the petitioners, and (iii) that the petitioners



shall also give an undertaking to the Court that they shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of their bail bonds. The petitioners shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of their bail bonds.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar/Anand Kr.

AFR/NAFR	
U	
T	

