

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67546 of 2019**

Arising Out of PS. Case No.-353 Year-2018 Thana- BASANTPUR District- Siwan

1. AJAY KUMAR Son of Satbeer @ Satyabir Singh Resident of Village-Sahubas, P.S-Chairakhi Dadri/Charkhi Dadri, District-Dadri (Haryana).
2. Jai Prakash Son of Mahendra @ Mahendra Singh Resident of Village-Siwana P.S.-Beri, District-Jhajhar (Haryana).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.Nawal Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

3 19-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case instituted for the offences under Sections 272, 273, 308, 34 of the Indian Penal Code and 30(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

The earlier bail application of the petitioners was rejected vide Annexure-1 to the present application with an observation to renew the prayer for bail after six months if no substantive progress is made in the trial.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 16.10.2018. There is no



allegation of tampering of witnesses alleged against the petitioners. It is submitted on behalf of the petitioner that there is no likelihood of trial being concluded in near future. Charge has already been framed in this case. It is alleged that 779.76 liters wine is recovered from the bus in question. The petitioners are driver and khalasi of the said bus. The petitioners had no knowledge regarding the same being kept in the vehicle. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum- Special Judge, Excise Act, Siwan in connection with Basantpur P.S. Case No. 353/2018.

(Sudhir Singh, J)

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