

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82135 of 2019

Arising Out of PS. Case No.-474 Year-2019 Thana- PURNEA SADAR District- Purnia

1. MD. KAMRUL @ MD. KAMRUL HODA Son of Md. Harun Resident of Village- Akohowa, P.S.- Dargaruwa, District- Purnea
2. Md. Wasim @ Md. Wasim Akram Son of Md. Yusuf Resident of Village- Akohowa, P.S.- Dargaruwa, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-01-2020 Heard learned Counsel for the petitioners and the learned APP for the State.

The petitioners, who is in custody, seek bail in a case registered under Section 30(a) of Bihar Prohibition and Excise Act, 2016 of the Indian Penal Code in connection with Sadar PS Case No. 474 of 2019, Special Excise Case No. 796 of 2019.

Prosecution case alleges recovery of illicit liquor being transported in a Tata 407 vehicle. Alleged recovery from 20 bags is 576 litres of illicit foreign liquor and five persons have been apprehended from the place of recovery. Petitioners are one of them.



Petitioners' Counsel submits that they have no criminal antecedent and that being bonafide passer by on the road they have been implicated in this case falsely. Co-accused Vikram Kumar and some other co-accused persons having similar allegations have been allowed bail in Cr. Misc. No. 68808 of 2019. Petitioners are in custody since 13.9.2019.

Considering the aforesaid submissions prayer for bail of the petitioners is allowed. Let the petitioners above named be released on bail on his furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge -cum- Special Judge, Excise, Purnea in Sadar PS Case No. 474 of 2019, Special Excise Case No. 796 of 2019 subject to the conditions:-
(I) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner. (ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to the cancelled.

(Madhuresh Prasad, J)

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