

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71258 of 2019

Arising Out of PS. Case No.-406 Year-2019 Thana- DHANARUA District- Patna

1. Chandan Kumar, Son of Tuntun Prasad, Resident of Village - Hulasganj, P.S.- Dhanarua, Distt - Patna.
2. Ranjit Kumar, Son of Jitendra Prasad, Resident of Village - Devchan Bihga/Devchand Bihga , P.S.- Dhanarua, Distt - Patna.
3. Dharmendra Kumar @ Vikash, Son of Sikandar Yadav @ Sikandar Prasad, Resident of Village - Sonwai/Sonmai, P.S.- Dhanarua, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners in the present case are seeking regular bail in connection with Special Case No.8688/2019, arising out of Dhanarua P.S. Case No.406 of 2019 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

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 these petitioners.



Learned APP has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioners that these petitioners were in the car without there being any knowledge that the illicit liquor is being kept in the said car and on interception by the police two persons being aware of the same had fled away but these petitioners were arrested unknowingly and further that these petitioners have got no criminal antecedent and have remained in custody since 28.09.2019, let the petitioners above named be released on bail on furnishing 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 Act, Patna in connection with Special Case No.8688/2019, arising out of Dhanarua P.S. Case No.406 of 2019, 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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