

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 85043 of 2019

Arising Out of PS. Case No.-321 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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1. AAKASH Son of Dharambir @ Dharmvir Singh Resident of Village - Raipur, P.S. - Sector -3, District - Sonipat, Haryana.
 2. Manoj Kumar Son of Brahmpal Singh Resident of Village - Sirsali, P.S. - Binauli, District - Baghpat, Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 07-01-2020 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in Excise Case No 321 of 2019 instituted for the offence punishable under Section (s) 30 (a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

Petitioners are in custody since 15.09.2019 on alleged recovery of 153 liters of illegitimate liquor from an Alto Car on which they are alleged to have been riding. It is submitted by the petitioners' counsel that it is a case of false implication. The petitioners have no criminal antecedent. They are neither owners of the vehicle in question nor they have any concern with the recovered liquor. Recovery is also not in accordance



with the procedure prescribed under Section 100 of Criminal Procedure Code.

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, Excise, Gopalganj in connection with Excise Case No 321 of 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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