

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84934 of 2019

Arising Out of PS. Case No.-388 Year-2019 Thana- SAUR BAZAR District- Saharsa

1. RAJU DAS Son of Guhi Das Resident of Village - Telonari, P.S.- Bengabad, Distt - Giridih (Jharkhand)
2. Ajay tudu @ Binod tudu @ Ajay Tudoo Son of Babu Ram Tudu @ Chunda Tudu Resident of Village - Kenduwa Churaghara, P.S.- Bengabad, Distt - Giridih (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-01-2020 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners in the present case are seeking regular bail in connection with Special (Excise) Case No. 449/2019 arising out of Sour Bazar (Bajjnathpur) P.S. Case No. 388/2019 registered under Sections 272, 273, 467, 468, 471, 420, 34 of the Indian Penal Code as well as under Section 30(a) of Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioners submits that the owner of the pick-up van who was arrested along with these petitioners from the pick-up van has been granted regular bail by learned coordinate Bench of this court in Cr. Misc. No.



80184/2019 vide order dated 06.12.2019, however petitioners are in custody since 15.09.2019 having no criminal antecedent.

Learned A.P.P. for the State 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 the owner of the pick-up van who was also arrested along with these petitioners from the pick-up van has been granted regular bail by learned coordinate Bench of this court in Cr. Misc. No. 80184/2019 vide order dated 06.12.2019, let the above-named petitioners, who are in custody for about four months, be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- II – cum – Special Judge, Excise Act, Saharsa, in connection with Special (Excise) Case No. 449/2019 arising out of Sour Bazar (Baijnathpur) P.S. Case No. 388/2019, 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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