

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85939 of 2019

Arising Out of PS. Case No.-943 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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1. Anil Kumar @ Anil Kumar Yadav S/o Yogendra Prasad R/o Village- Koni, P.S.- Marauna, Distt- Supaul
 2. Guddu Kumar @ Guddu Thakur S/o Mahendra Thakur R/o Village- Sotiya, P.S.- Kamtaul, Distt- Darbhanga.
 3. Pankaj Kumar S/o Jivach Yadav R/o Village- Bhelwa, P.S.- Ghoghardiya, Distt- Madhubani.
 4. Ram Kumar Yadav S/o Ishki Lal Yadav R/o Village- Phulkati, P.S.- Phulparas- Distt- Madhubani.

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Parmanand Prasad, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-03-2020 Heard learned counsel for the parties.

Petitioners are accused in a case registered for the offences punishable under Section 30 and other allied sections of the Bihar Prohibition and Excise Act.

Prosecution's case, in brief, is that 522 liters of foreign liquor was recovered from a Bus, to which petitioners no.1 & 2 were the drivers, whereas petitioners no.3 and 4 were khalasis of the said bus.

Learned counsel appearing for the petitioners, while denying the allegations, submits that the petitioners have falsely been implicated in this case as nothing incriminating has been



recovered from their conscious possession and in fact they were not aware of the illegal liquor being carried by the bus in question. Petitioners have got no criminal antecedent and they are in custody since 21.10.2019.

Considering the facts of the case, let all the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge 9th cum Special Judge, Excise Act, East Champaran at Motihari in Excise Case No. 943 of 2019 on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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