

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85890 of 2019

Arising Out of PS. Case No.-135 Year-2019 Thana- BEERPUR District- Begusarai

1. Nitin Sharma, Son of Jitendar Sharma @ Jitendra Singh
2. Jitendar Sharma @ Jitendra Singh, Son of Late Sukhvir Singh
Both are Resident of Village - Erti, P.S.- Kairana, District- Shamli, (U.P.),
Pin Code - 247774

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-01-2020 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 Birpur P.S. Case No.135 of 2019
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

Learned counsel for the petitioners submits that the
petitioner no. 1 is Khalasi and petitioner no.2 is driver of the
vehicle in question from which the alleged recovery of illicit
liquor has been made. Learned counsel submits that the
petitioners are innocent and have falsely been implicated in this
case. Learned counsel further submits that the petitioners are in



custody since 27.10.2019 having no criminal antecedent.

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 the petitioners are Khalasi and Driver respectively of the vehicle from which the alleged recovery of illicit liquor has been made and further submission that the petitioners have got no criminal antecedent and they are in custody since 27.10.2019, 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 Additional Sessions Judge-2nd-cum-Special Judge, Excise Act, Begusarai in connection with Birpur P.S. Case No.135 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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