

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17355 of 2021

Arising Out of PS. Case No.-329 Year-2020 Thana- BAUSI District- Purnia

1. Sujit Chaurasiya Son of Svami Nath Chaurasiya Resident of Village - Gopalpur, P.S. - Rampur, District - Jaunpur (U.P.).
2. Ajay Yadav Son of Om Prakash Resident of Village - Beriya Vishambharpur, Police station - Devgaon, District - Ajamgarh (U.P.).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 08-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioners seek bail in Spl. Excise Case No. 602 of 2020 (arising out of Baisi P.S. Case No. 329 of 2020), registered for the offence under Sections 272, 273 of the I.P.C. and Sections 30(a), 41, 47 of Bihar Prohibition and Excise Act.

2244.6 liters of foreign liquor has been recovered from a truck, of which, petitioner no. 1 is driver and petitioner no. 2 is khalasi, were arrested on spot.

It is submitted on behalf of petitioners that nothing has been recovered from the conscious possession of the petitioners. Petitioners were not aware about the nature of consignment Petitioners claim clean antecedent and they are in custody since 18.12.2020.



Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts & circumstances as well as nature of allegation and period of custody, the bail petition of petitioners is allowed. Let the above named petitioners 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 learned Special Judge (Excise), Purnea in connection with Spl. Excise Case No. 602 of 2020 (arising out of Baisi P.S. Case No. 329 of 2020), on the following conditions:

“(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, 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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