

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4305 of 2021

Arising Out of PS. Case No.-191 Year-2020 Thana- DUMARIAGHAT District- East
Champaran

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1. SANJEET KUMAR SON OF DILIP KUMAR GUPTA RESIDENT OF VILLAGE - SALEMPUR, P.S- LALGANJ, DISTRICT- VAISHALI
 2. RANJEET MAHTO SON OF DILIP KUMAR GUPTA Resident of Village- Salempur, P.S.- Lalganj, Distt- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-03-2021 Heard learned counsel for the petitioners and learned
A.P.P for the State.

The petitioners seek bail in Dumariyaghat P.S. Case No. 191 of 2020, registered for the offence punishable punishable under Sections 272, 273 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2018.

During vehicle checking one pick up van was intercepted and upon search 505.620 litres of foreign liquor has been recovered and petitioners were apprehended on the spot.

It is submitted that no recovery has been made from conscious possession of these petitioners. Petitioners are driver



and Khalasi of the said vehicle and they hired the said pick up van from Pramod Mahto at Rs. 30,000/- per month and are not aware about the nature of consignment. Petitioners have no concern with the seized liquor. Petitioners are in custody since 30.09.2020 having no criminal antecedent, as stated in para 3 of the petition. Chargesheet has already been submitted.

Considering the period of custody and the fact that petitioners bear clean antecedent, the petitioners above-named, are directed to be enlarged 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 learned 2nd Additional Sessions Judge-cum-Special Judge Excise Act, East Champaran, Motihari in connection with Dumariyaghat P.S. Case No. 191 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioners.

(Prabhat Kumar Singh, J)

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