

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7407 of 2021

Arising Out of PS. Case No.-184 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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1. ANIL KUMAR SON OF SAHEB SAHNI R/O VILLAGE-
RAGHUNATHPUR, IMATPUR, P.S.- BHAGWANPUR, DISTRICT-
VAISHALI.
 2. AMIT KUMAR SON OF SRI RAM JATAN SAHNI R/O VILLAGE-
BASAITHA, P.S.- BHAKHRA, DISTRICT- VAISHALI.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rina Sinha, Advocate
For the Opposite Party/s : Mr. Nazir Ansari, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 29-06-2021 . In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioners and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in C-1 Case No. 184 of 2020, C.I.S. No. 184 of 2020 registered under Sections 30(a) and 56(b) of Bihar Prohibition and Excise Act, 2016 .

The petitioners are said to be driver and co-driver of the truck. There is recovery of 2655 liters of illicit foreign liquor.

Learned Counsel for the petitioners submits that the petitioners were lending their professional services oblivious of the illicit liquor being stored on the roof of the truck. In such factual background they have become victim of the circumstances. Having no criminal antecedent they are in custody since 14.10.2020.



Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Special Judge, Excise, Purnia in C-1 Case No. 184 of 2020, C.I.S. No. 184 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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