

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67671 of 2021

Arising Out of PS. Case No.-203 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Aman Kumar Son of Late Ramnandan Prasad Resident of Chandmari Road,
P.S.- Kankarbagh, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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with
CRIMINAL MISCELLANEOUS No. 68501 of 2021

Arising Out of PS. Case No.-203 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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SAGAR KUMAR Son of Late Ramesh Kumar Agarwal Resident of Village -
Mithapur Bus Stand, P.S.- Jakkanpur, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

(In Criminal Miscellaneous No. 67671 of 2021)

For the Petitioner/s : Mr.Kumar Kaushlendra, Advocate

For the Opposite Party/s : Mr.Rajesh Kumar, APP

(In Criminal Miscellaneous No. 68501 of 2021)

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr.Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-05-2022 Heard counsel for the parties.

Let the defect(s), if any, as pointed out by the office
be removed within a period of four weeks.

The petitioners are in custody in connection with
Excise Case No. 203 of 2021 instituted under section 30(A) and
56(B) of Bihar Prohibition and Excise Amendment Act, 2018.



The prosecution story is that on information, the police intercepted a Scooty driven by two petitioners herein carrying two bags. It was searched and 40 litres of illegal liquor was seized from the vehicle. Accordingly, they were arrested and are in jail since 27.7.2021 (as stated in para-10 of the bail application).

Considering the fact that charge-sheet stands submitted and the petitioners are in jail since 27.7.2021; this Court is inclined to grant the privilege of bail to them.

Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-II Cum-Special Judge, Excise Act, Gaya, in connection with Excise Case No. 203 of 2021 subject to the following conditions:-

(i) one of the bailors should be the family member of the petitioners, who shall provide official document to show their bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail their cancellation of bail by the Trial Court itself;



(iii) they shall appear before the concerned police station every fortnight for next six months to mark their presence.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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