

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51508 of 2014

Arising Out of PS.Case No. -229 Year- 2014 Thana -GAURICHAK District- PATNA

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1. Devanand Rai son of Sri Jangli Rai
 2. Vilas Rai son of Sri Babu Jagdeo Rai
 3. Sultan Rai son of Sri Sarvanand Rai @ All India Gope all resident of village - Jamapura, Police Station Gaurichak, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Shekhar

For the Opposite Party/s : Mr. S.M. Rahman (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 03-03-2015 Heard the learned counsel for the petitioners as well as the learned A.P.P.

The petitioners seek bail in a case for the offences punishable under sections 272 & 273 read with section 47 (a) (e) (f) of the Excise Act.

Acting on a tip off a raid was conducted and the petitioners were caught indulged in preparing the illicit Mahua liquor. As per seizure list recovery was made of 200 liters country made liquor besides other apparatus.

Submission is that the petitioners have been made victim of the circumstances. As a matter of fact nothing has been recovered from conscious possession of the petitioners and they

are suffering in custody since 10.09.2014.

In the facts and circumstances as stated above, considering detention of the petitioners at this stage now they are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. Patna City, Patna in Gaurichak P.S. Case No. 229 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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