

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26461 of 2016

Arising Out of PS.Case No. -114 Year- 2016 Thana -MOTIPUR District- MUZAFFARPUR

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1. Krishna Sahani son of Vijay Sahani resident of Village- Harpur Junaida, P.S. Motipur, District Muzaffarpur.
2. Pintu Kumar son of Arjun Rai, resident of Village- Sundar Sarai, P.S.- Motipur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Sri Matloob Rab

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 12-07-2016 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in a case instituted for the offence under Sections 47A, 49 and 50 of Bihar Excise Amendment Act 2016.

Considering the period of custody and fair antecedents of the petitioners, let them be released on bail on furnishing bail bond of Rs.5,000/-(Five Thousand) each with two sureties of the like amount each or any other surety to be fixed by the Court below to the satisfaction of Sub-Divisional Judicial Magistrate, (West) Muzaffarpur in connection with Motipur P.S. Case No. 114 of 2016 subject to the conditions,

(i) that one of the bailors will be a close relative of

the petitioners, who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailors will undertake to furnish information to the court about any change in the address of the petitioners, (ii) that the affidavit shall clearly state that the petitioners are not accused in any other case and, if they are, they shall not be released on bail, (iii) that the bailors shall also state on affidavit that they will inform the court concerned if the petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse,(iv) that the petitioners will give an undertaking that they will receive the police papers on the given date and be present on date fixed for charge and if they fail to do so on two given dates and delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse, and (v) that the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Anjana Prakash, J)

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