

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33024 of 2016

Arising Out of PS.Case No. -110 Year- 2016 Thana -PARSA District- SARAN

1. Avinash Singh, son of Krishna resident of village- Rampara, Haldhar Road, P.S Bairakpur, Maniyampur, District- North 24 Pargana, West Bengal-120 At present Village- Satjora, P.S- Panapur, District- Saran.
2. Jitendra Dueeya, son of Jams Dueeya resident of Village- 135 (A) Raja Dharendra Nath Bastole, P.S Shyampukar, District - North 24 Pargana, West Bengal.

.... .. Petitioners

Versus

The State of Bihar

.... .. Opposite Party

Appearance :

For the Petitioners : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party : Mr. J.K. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 20-08-2016 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are in custody since 14.06.2016 in connection with Parsa P.S. Case No. 110 of 2016 for the offences alleged under Sections 272/273 of the Indian Penal Code and Section 47 of the Excise Act.

3. It is submitted that the petitioners have been falsely implicated and in any event, mere possession of foreign liquor would not constitute an offence punishable under the Excise Act in view of the order dated 26.05.2016 passed in Cr. W.J.C. No. 533 of 2016 (Ram Sumir Sharma Vs. The State of Bihar & ors.). The petitioners claim clean antecedent.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioners above named 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 Chief Judicial Magistrate, Saran, Chapra in connection with Parsa P.S. Case No. 110 of 2016 with the following conditions:

(i) That one of the bailors of each of the petitioners shall be their close relative.

(ii) That the petitioners shall not indulge in any similar offence.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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