

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52505 of 2016

Arising out of PS.Case No. -207 Year- 2016 Thana -RAXAUL District- EASTCHAMPARAN
(MOTIHARI)

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1. Sushil Kumar S/o Sarbjeet Ram, Resident of Village – Madhopur,
Nankar, P.S. - Sugauli., District East Champaran.
2. Raju Mahto S/o Mohan Mahto, resident of Village - Kaurihar Dhanger
Toli, P.S. - Raxaul, District - East Champaran.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 13-12-2016 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody since 15.09.2016 in connection with Raxaul P.S. Case No. 207 of 2016 for the offences alleged under Sections 272 and 273/34 of the Indian Penal Code and Sections 47, 51, 54, 57 and 63 of the Bihar Excise Amendment Act, 2016.

3. It is submitted that the petitioners have been falsely implicated for an offence relating to recovery of five litres of country made liquor and the said recovery was made from the courtyard of Sadhu Chaudhary and on whose confessional statement, the petitioners have been implicated along with other co-accused Shiv Patel and Raju Mahto. The petitioners deny having any connection with the premises from where recovery has been made. The petitioners claim clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case and period of custody, let the petitioners above named be released on bail on furnishing bail bonds of Rs.



10,000/- (ten thousand)each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran in connection with Raxaul P.S. Case No. 207 of 2016 with the following conditions:

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

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(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)

B.T/Chandran

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