

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11279 of 2017

Arising Out of PS.Case No. -217 Year- 2016 Thana -EKMA District- SARAN

- =====
1. Dharmendra Mishra @ Dharmendra Kumar Mishra, Son of Devnath Mishra, R/o Village Rith, P.S. Ekma, Distt. Chapra (Saran).
 2. Md. Jalil, Son of Md. Salim, Resident of Village Tarwara Purab Tola, P.S. G.B. Nagar, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Amrendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 12-04-2017 Heard learned counsel for the petitioners and
learned APP for the State.

Petitioners are languishing in custody for offences punishable under Section 120B/34 of the Indian Penal Code and Sections 30/38/41 of the Bihar Prohibition and Excise Act, 2016.

From possession of the petitioners 230 liters of liquor was allegedly recovered.

Petitioner No.2 Md. Jalil had got no criminal antecedent and is in custody since 30.12.2016, hence, let petitioner No.2 Md. Jalil be enlarged on bail **on completion of four months of custody** on furnishing bail bond of Rs. 10,000/-(Ten Thousand)



with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Saran at Chapra, in connection with Ekma P.S. Case No. 217 of 2016.

Petitioner No.1 Dharmendra Mishra @ Dharmendra Kumar Mishra has got similar type of criminal antecedent, in the circumstance, he shall be released on bail **only after completion of six months of custody** on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Saran at Chapra, in connection with Ekma P.S. Case No. 217 of 2016, with condition that petitioner shall file undertaking at the time of furnishing of the bail-bond before the Court-below that he would not indulge himself in such activity otherwise the Court below shall be at liberty to take steps for cancellation of the bail-bonds of the petitioner in this case.

Mkr./-

(Birendra Kumar, J)

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