

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23028 of 2017

Arising Out of PS.Case No. -95 Year- 2017 Thana -CHAPRA MUFFASIL District- SARAN

- =====
1. Mithlesh Rai @ Mithilesh Singh, S/o Lal Bahadur Rai, resident of Village- Dumariya, P.S.- Chapra Muffasil, District- Chapra (Saran).
 2. Sharla Rai @ Rakesh Rai @ Sharal Rai, S/o Parma Rai, resident of Village- Dumariya, P.S.- Chapra Muffasil, District- Saran (Chapra).

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Tej Pratap Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-05-2017

Heard learned counsel for the petitioners.

This is an application for bail in connection with Chapra Muffasil P.S.Case No. 95 of 2017 registered for the offences punishable under Sections 30, 38 and 41 of Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioners is of recovery of 40 litres of country made liquor from the motorcycle.

It has been submitted on behalf of the petitioners that nothing has been recovered from the possession of the petitioners and they are in custody for two months having clean antecedent.

Heard learned APP also.

Having heard both sides and considering the aforesaid facts and circumstances, let the petitioners, named above, be



released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra, in connection with Chapra Muffasil P.S.Case No. 95 of 2017, subject to the conditions that :-

(i) One of the bailors of the petitioners shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.

(ii) The petitioners will not induce any witness or tamper with the evidence.

(iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of their bail.

(Vinod Kumar Sinha, J)

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