

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47432 of 2017

Arising Out of PS.Case No. -99 Year- 2017 Thana -AMBA District- AURANGABAD

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1. Binod Paswan Son of Karmdeo Paswan,
2. Jagdish Bhuiyan Son of Jatu Bhuiyan, Both are resident of Village-
Danibigha, P.S.- Aurangabad Town, District- Aurangabad, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Mr. Sri Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-10-2017 Heard the parties.

The petitioners seek regular bail in connection with
Amba P.S.Case No.99 of 2017 registered for offences punishable
under Section 30(a) and 38 of the Bihar Prohibition and Excise
Act, 2016.

Allegation against the petitioners is about recovery of
80 ltrs. of liquor from the rickshaw and the petitioners were
arrested at the spot.

Submission of the learned counsel for the petitioners
is that the petitioners have been falsely implicated in this case,
they were only sitting on the rickshaw and they have no concern
with the seized articles. The petitioners have no criminal
antecedent and they have remained in custody for about 2 ½



months.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII-cum-Special Judge, Aurangabad in connection with Amba P.S.Case No.99 of 2017

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate 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, his bail bond shall be cancelled.
- (iv) If his active participation is found in such type of cases in future, their bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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