

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48885 of 2017

Arising Out of PS.Case No. -454 Year- 2017 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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1. Lal Babu Prasad,
2. Ram Babu Prasad, Both sons of Jangali Prasad, Resident of Paschim
Kargahiya, P.S.- Bettiah Nagar (Kalibag O.P.), District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta

For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-10-2017 Heard the parties.

The petitioners seek regular bail in connection with Bettiah Town P.S.Case no.454 of 2017 registered for offences punishable under Sections 30(c), 35/37©/38 and 56 of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioners is about recovery of 324 ltrs. of liquor from the vehicle and the petitioners were arrested while unloading the same.

Submission of the learned counsel for the petitioners is that they are loader and they have no criminal antecedent. The petitioners are in custody since 19.6.2017. Considering the fact that they are only loader, which will appear from the FIR itself.



Now they are in custody for about 5 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 petitioner, 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 District and Sessions Judge VI-cum-Special Judge, Bettiah, West Champaran in connection with Bettiah Town P.S.Case No.454 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, their bail bond shall be cancelled.
- (iv) If their 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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