

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45982 of 2017**

Arising Out of PS.Case No. -443 Year- 2017 Thana -MOHANIA District- BHABHUA (KAIMUR)

- =====
1. Pratima Devi wife of Ram Pravesh Chaubey, resident of village Sotwa, P.S. Kudhni, District Kaimur, Bhabhua
  2. Mukesh Kumar Pandey @ Mukesh Pandey @ Mukesh Kumar son of Kamla Pandey, Resident of village Baheri, P.s. Bhabhua, at present residing at Ughanidih, P.s. Mohania, District Kaimur (Bhabhua).

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dharmesh Kumar Shrivastava

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      19-09-2017                      Heard the parties.

The petitioners seek regular bail in connection with Mohania P.S.Case No.443 of 2017 registered for offences punishable under Sections 30(a) and 38 of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioners is about recovery of 180 ml. wine bottles and 24 pieces of 180 ml. English wine.

Submission of the learned counsel for the petitioners is that the petitioner have been falsely implicated in this case. The petitioners have no criminal antecedent and they are in custody since 13.8.2017.

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 Special Judge-cum-A.D.J. 4<sup>th</sup>, Kaimur at Bhabhua in connection with Excise Case No.1351 of 2017 arising out of Mohania P.S.Case No.443 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 petitioner shall 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.

With the aforesaid observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

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