

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 40487 of 2017

Arising out of P.S. Case No.-130 Year-2017 Thana-
PHULWARIA District- Gopalganj

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1. Nagendra Mahato, S/o Vakil Mahato, R/o Village-Hardiyara, P.S.- Daraunada, District- Siwan.
 2. Nagendra Ram, S/o Late Akalu Ram, R/o Village-Dhebar, P.S.- Daraunada, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Kant, Adv.

For the Opposite Party/s : Smt. Indu Bala Pandey, APP.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 25-08-2017 Heard learned counsel for the petitioners and the
State.

The petitioners seek bail in a case registered for offences under Sections 30 (k) and 41(I)(II) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

It is contended that, as per allegation, 1200 bottles each containing 180 ml and 360 bottles each containing 375 ml of foreign liquor were allegedly recovered from the Scorpio of which the petitioners are said to be the driver and owner respectively. Petitioners claim that the petitioner no. 1 is having clean antecedent, however, the petitioner no. 2 is made accused



in five other cases as stated in paragraph 3 of the bail application. It is urged that the petitioners are in custody since 17.06.2017.

Considering the facts and the circumstances of the case, the petitioners, above named are directed to be released on bail on their furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional District & Sessions Judge-II, Gopalganj in connection with Phulwaria P.S. Case No. 130 of 2017 with a condition that if the petitioners, after their release in this case, are again found to be involved in criminal case of similar nature, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

In view of the antecedent of the petitioner no. 2, he would be required to appear before the Superintendent of Police, Gopalganj within fifteen days of his release with a copy of this order and every month thereafter for the next six months. The conduct of the petitioner will be kept under watch in the aforesaid period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting



to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned which should be granted by the Superintendent of Police concerned upon his appearance.

(Dr. Ravi Ranjan, J)

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