

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48517 of 2017

Arising Out of PS.Case No. -27 Year- 2017 Thana -PARBATTa District- BHAGALPUR

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1. Boudhi Sahni, Son of Late Bhado Sahni,
2. Shakila Devi, Wife of Jodhan Sahni, Both residents of Village- Bahattara
(Sahni Tola), P.S.- Parbatta, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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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 Parbatta P.S.Case No.27 of 2017 registered for offences punishable under Sections 30(a) (d) and 38(1) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioners is about recovery of 01 ltrs. of wine and also some semi manufactured wine from house of the petitioners .

Submission of the learned counsel for the petitioners is that the petitioners have been falsely implicated in this case on the basis of suspicion and nothing has been recovered from the house of the petitioners. The petitioners have no criminal antecedent and they are in custody for about three 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 4th A.D.J.-cum-Special Judge, Excise Act, Bhagalpur in connection with Parbatta P.S.Case No.27 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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