

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43726 of 2017

Arising Out of PS.Case No. -191 Year- 2017 Thana -PATNA CITY CHOWK District- PATNA

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1. Nitish Bind, Son of Late Bijay Bind, Resident of Village – Jalla Hanuman Mandir, Bahri Begampur, P.S. – Bypass, Dist – Patna.
2. Kanhai Kumar, Son of Radhe Shyam Saw, Resident of Village – Devi Asthan, Bahri Begampur, P.S. – Bypass, Dist – Patna

.... Petitioners/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioners/s : Mr. Bhim Kumar Yadav

For the Opposite Party/s : Mr. Sri Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-09-2017 The petitioners seeks regular bail in connection with Chowk P.S. Case No. 191 of 2017, registered for offences punishable under Sections 272, 273 and 34 of the Indian Penal Code and Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 34 litres of country made wine.

It has been submitted on behalf of the petitioners that they have falsely been implicated in this case. Moreover, they have sufficiently been punished for the said offence as they have been in judicial custody since 15.07.2017 and have no criminal antecedents.

Heard learned A.P.P. also.



Having heard both sides, considering the facts and circumstances of the case, nature of allegation, quantity of recovery and period of custody and also that petitioners have no criminal antecedent, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Patna, in connection with Chowk P.S. Case No. 191 of 2017.

- (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) It is made clear that if the petitioners again found involved in any of the like offences, in future, prosecution will be free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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