

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48893 of 2017

Arising Out of PS.Case No. -231 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN(MOTIHARI)

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1. Muslim Miya, Son of Neen Miya @ Nayim Miyan
2. Md. Shaif, Son of Md. Shajad. Both are resident of Village Chainpur
Dhaka Ward No. 12, P.S. Dhaka District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar Mishra

For the Opposite Party/s : Mr. Md. Nazir Ansari

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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
Excise Case No.231 of 2017 registered for offences punishable
under Sections 30(a) of the Bihar Prohibition and Excise Act,
2016.

Allegation against the petitioners is about recovery of
24 ltrs. of liquor from the motorcycle of the petitioner.

Submission of the learned counsel for the petitioners
is that the petitioners have been falsely implicated in this case. The
petitioners have no criminal antecedent and they have remained in
custody for more than one month.

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 7th Addl. & Sessions Judge-cum-Special Judge Excise, Motihari in connection with Excise Case No.231 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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