

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19976 of 2017

Arising Out of PS.Case No. -102 Year- 2017 Thana -KRITYANAND NAGAR District- PURNIA
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1. Khaman Chandra Kumar, Son of Sri Siya Sharan Mahto,
2. Siya Sharan Mahto, Son of Late Singheshwar Mahto, Both resident of Village- Ranibari, P.S.- Sri Nagar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Atul Chandra
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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-05-2017 Heard the parties.

The petitioners seek regular bail in connection with Special Excise Case No.57 of 2017 arising out of K.Nagar (Sri Nagar) P.S.Case No.102 of 2017, registered for offences punishable under Sections 272 & 273 of the Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioners is about recovery of 14 ltrs. of country-made liquor.

It is submitted on behalf of the petitioners that they have been falsely implicated in this case. They have clean antecedent and remained in custody for more than one month.

Heard learned A.P.P. also.

Having heard both sides and in view of clean antecedent as



well as they have remained in custody for more than one month, as such, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge-cum- Special Judge, (Excise Act), Purnea in connection with Special Excise Case No.57 of 2017 arising out of K.Nagar (Sri Nagar) P.S.Case No.102 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 reasons, the prosecution is free to move for cancellation of their bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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