

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9179 of 2017

Arising Out of PS.Case No. -311 Year- 2016 Thana -RAJAULI District- NAWADA

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1. Mukesh Kumar Sinha @ Mukesh Kr., son of Arvind Kumar Sinha
2. Avinash Kumar, son of Late Nageshwar Kr. Mahto
3. Umesh Kumar, son of Late Nageshwar Kumar Mahto All residents of
Mohalla - Badi Patandevi Colony, P/s - Alamganj, District - Patna.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok with
Mr. Man Mohan Kumar, Advocates
For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-02-2017

Heard learned counsel for the petitioners.

This is an application for bail in connection with Rajauli P.S.Case No. 311 of 2016 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

It has been submitted on behalf of the petitioners that petitioners have no criminal antecedent and they have falsely been implicated in this case and there is alleged recovery of 46 bottles of foreign wine, containing 750 ml. of each bottle, and they have remained in custody for more than two months.

Heard learned APP also, who has opposed the prayer for bail.

Having heard both sides and considering the fact that there is no criminal antecedent against the petitioners and they



have remained in custody for two and a half months, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nawada, in connection with Rajauli P.S. Case No. 311 of 2016, subject to the conditions that :-

(i) One of the bailors of the petitioners shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.

(ii) The petitioners will not induce any witness or tamper with the evidence.

(iii) The petitioners shall cooperate 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, the prosecution is free to move the cancellation of their bail.

(Vinod Kumar Sinha, J)

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