

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.16068 of 2017**

Arising Out of PS.Case No. -56 Year- 2016 Thana -BELCHAR District-  
WESTCHAMPARAN(BETTIAH)

- =====
1. Ramesh Sah, Son of Suneshwar Sah,
  2. Mathur Sah, Son of Sati Sah, Both Resident of Village- Tengrahiya  
Bakulahar, P.S.- Gopalpur, District- West Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. The Union of India through the Inspector General, S.S.B., Frontier Head  
Quarter, Patna.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Manoj Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      07-04-2017                      Heard the parties.

This application has been filed in connection with Balthar  
P.S.Case No.56 of 2016 for the offence under Section 47-A of  
Biahr Excise Act.

It is submitted on behalf of the petitioners that they been  
falsely implicated in this case, as while entering into the Indian  
territory, they were caught and made accused in this case. They  
are in custody for about seven months. Even according to the  
F.I.R., there is recovery of 64 ltrs. of nepali liquor.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and



circumstances, as stated above, and in view of the fact that they have no criminal antecedent, as such let the petitioners, 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 Sri N.P.Singh, J.M. 1<sup>st</sup> class, Bettiah, West Champaran in connection with Balthar P.S.Case No.56 of 2016

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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