

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25245 of 2017

Arising Out of PS.Case No. -44 Year- 2017 Thana -HUSAINGANJ District- SIWAN

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1. Alamgir Alam
2. Sarfuddin Alam Both S/o FateMian @ Fateh Alam, Village-Jalalpur,
P.S.-M.H. Nagar (Hussainganj), District-Siwan.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-07-2017

Heard learned counsel for the petitioners.

This is an application for bail in connection with Hussainganj (M.H. Nagar) P.S.Case No. 44 of 2017 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and 41(1) of Bihar Prohibition and Excise Act.

Allegation as per FIR is that police raided the house of one co-accused and recovered 234 litres of liquor and petitioners are living in that house.

It has been submitted on behalf of the petitioners that the house from which recovery has been made is of maternal uncle of the petitioners they have nothing to do with the seized articles and they have not been arrested at the spot and later on they have been arrested and they are in custody for four months having no criminal antecedent.

Heard learned APP also.



Having heard both sides and considering the aforesaid facts and circumstances, let the petitioners, named above, 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, Siwan, in connection with Hussainganj (M.H.Nagar) P.S.Case No. 44 of 2017, 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 for cancellation of their bail.

(Vinod Kumar Sinha, J)

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