

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26648 of 2017

Arising Out of PS.Case No. -53 Year- 2017 Thana -KANHAULI District- SITAMARHI

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1. Loha Rai, Son of Late Gangandeo Rai, resident of Village- Muhchhati, Bagha Tola, P.S. Kanhauli, District- Sitamarhi.
2. Shiv Nandan Sahni, son of Gagandeo Sahni, resident of Bagha Tola, P.S. Kanhauli, District- Sitamarhi.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Bimal Kumar

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 06-07-2017 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are in custody since 21.04.2017 in connection with Kanhauli P.S. Case No. 53 of 2017 for the offences alleged under Section 30(A) of the Bihar Excise (Amendment) Act, 2016.

3. It is submitted that the petitioners have been falsely implicated in connection with the alleged recovery of 11.900 litres of Nepali wine. Recovery of the offending goods from the possession of the petitioner is denied. The petitioners claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case as well as the period of custody since 21.04.2017 already suffered, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned A.D.J.-II, Sitamarhi in connection with



Kanhauli P.S. Case No. 53 of 2017 with the following conditions:

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/-

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