

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13929 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -RATANPURA District- SUPAUL

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1. Om Kumar Sah @ Om Prakash Sah S/o Upendra Sah resident of village - Chikani, P.S. Kishanpur, Dist. - Supaul.
 2. Shankar Kumar Mandal S/o Late Upendra Prasad Mandal resident of Vill. - Chankpipar Ward No. 9, Both are P.S. of Kishanpur, Dist. - Supaul.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Naresh Kumar Mehta, Advocate

For the Opposite Party/s : Mr. Rajeev Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-03-2017

Heard learned counsel for the petitioners.

This is an application for bail in connection with Ratanpur P.S.Case No. 05 of 2017 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

According to learned counsel for the petitioners, though there is allegation of recovery of 36.6 litres of country made liquor but neither the FIR nor the seizure list does not contain any signature of the officer concerned and cognizance has been taken by the court below in his order and petitioners are in custody for about two months having clean antecedent.

Heard learned APP also, who has not controverted the above submission.

Having heard both sides and considering the facts and circumstances of the case, 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 Sub-Divisional Judicial Magistrate, Birpur, District Supaul, namely, Sri A.K.Pandey, in connection with Ratanpur P.S.Case No. 05 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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