

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49264 of 2017

Arising Out of PS.Case No. -428 Year- 2016 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Ramesh Mahato, son of Late Shivrath Mahato
 2. Birendra Mahato, son of Late Shivrath Mahato
 3. Bindeshwari Mahato, son of Bachcha Mahato, all are residents of village Gatuli, P.S. Harshidhi, District East Champaran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Uday Kumar Mishra

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-10-2017 Heard learned counsel for the petitioners.

This is an application for bail in connection with Harshidhi P.S. Case No. 428 of 2016 registered for the offences punishable under Sections 30, 36, 37(a) and 38 of Bihar Prohibition and Excise Act.

Allegation is of recovery of 27 litres of liquor from Gosala of petitioner No.3.

Submission of learned counsel for the petitioners is that they have falsely been implicated in this case and Gosala is outside of house and keeping it by some others in that place cannot be ruled out. Further submission is that they are in custody for two months having no criminal antecedent.

Heard learned APP also.



Having heard both sides and in view of the facts and circumstances, as stated above, 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 Special Judge, Excise Act, East Champaran, Motihari, in connection with Harsidhi P.S. Case No. 428 of 2016, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immoveable properties in the jurisdiction of court concerned,
- (2) If involvement of the petitioners in such type of cases is found in future, their bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

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