

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55207 of 2017

Arising Out of PS.Case No. -236 Year- 2017 Thana -BARHARA District- BHOJPUR

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1. Tarkeshwar Rai, Son of Shiv Prasad Rai,
2. Vinay Rai S/o Budhu Rai, R/o Village- Lal ke Tola, P.S.- Barhara,
District- Bhojpur at Ara (Bihar).

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Murlidhar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-11-2017 Heard learned counsel for the petitioners.

This is an application for bail in connection with Excise Case No. 5302 of 2017, arising out of Barhara P.S.Case No. 236 of 2017 registered for the offences punishable under Section 30(A) of Bihar Prohibition and Excise Act.

Allegation is of recovery of 50 bottles, each containing 180 ml., of foreign liquor from the possession of petitioners.

Submission of learned counsel for the petitioners is that they have falsely been implicated in this case, nothing has been recovered from their possession and they are in custody since 29.8.2017, having no criminal antecedent.

Heard learned APP also.

Having heard both sides and considering the facts and



circumstances of the case, let 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 Additional Chief Judicial Magistrate-IV, Bhojpur, Ara, in connection with Excise Case No. 5302 of 2017, arising out of Barhara P.S.Case No. 236 of 2017, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immoveable properties within 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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