

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14243 of 2018

Arising Out of PS.Case No. -23 Year- 2018 Thana -BAUSI District- PURNIA

=====

1. Meghanath Singh, S/o Ramvaran Singh, R/o Village- Vajidpur, P.S.- Vidupur, Distt.- Vaishali.
2. Viru Rai S/o Vanwari Rai, R/o Village- Lakhanpur , P.S.- Desari, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Smt. Madhuri Lata

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-03-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are languishing in judicial custody since 21.01.2018 in connection with Baisi P.S. Case No. 23 of 2018 for offences punishable under Section 273 of the Indian Penal Code and Sections 30(A)/41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police personnel, is that on a secret tip off the vehicle of the petitioners was intercepted and from the dickey 113 litres 750 ml of illicit foreign liquor was recovered. Accordingly, a seizure list was



prepared.

It has been submitted by the learned counsel for the petitioners that they are innocent, petitioner no. 1 has no criminal history and petitioner no. 2 has been implicated in a case of different nature and nothing has been recovered from their conscious possession. Petitioners are ready to cooperate with the investigation, provide all necessary information and undertake not to tamper with the evidence or prosecution witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned ADJ-II cum Special Judge, Excise Act, Purnea, in connection with Baisi P.S. Case No. 23/2018, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioners having sufficient immovable property, who will file an affidavit stating his relationship with the petitioners.



(2) If the petitioners indulge in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of their bail bonds.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

