

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3602 of 2018

Arising Out of PS.Case No. -123 Year- 2017 Thana -NAUHATTA District- SAHARSA

=====

1. Madan Sada Son of Late Garbhu Sada
2. Santosh Mahto Son of Late Baijnath Mahto Both Resident of Village-
Dumra P.S.-Nauhatta Dist.-Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Smt. Madhuri Lata

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-02-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Nauhatta P.S.Case No.123 of 2017 , registered for offences punishable under Sections 30A of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioners is about recovery of 3 and 4 ltrs. of liquor from the petitioner nos. 1 and 2 respectively from a motorcycle.

Submission of the learned counsel for the petitioners is that the motorcycle does not belong to the petitioners as well as they have no criminal history of being accused in such type of case.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and



circumstances, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of Oder, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J. 2nd-cum-Special Judge, Saharsa in connection with Nauhatta P.S.Case No.123 of 2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the police, otherwise, the prosecution is free to move for cancellation of their bail bond.

(Vinod Kumar Sinha, J)

chn/-

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

