

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19869 of 2018

Arising Out of PS. Case No.-5 Year-2018 Thana- JAYNAGAR District- Madhubani

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1. Rajesh Kumar Yadav Son of Bisheshwar Yadav, Resident of Village-Dorbar, P.S. Jainagar, District-Madhubani.
 2. Pravin Kumar Sah @ Master Son of Amirilal Sah, Resident of Basdiha, P.S. Jainagar, District-Madhubani.
 3. Rupesh Kumar Son of Sunil Sah, Resident of Village-Balua Tole P.S.-Jainagar District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, A.P.P.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 19-04-2018 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in a case registered for offence punishable under Sections 272, 273 of the Indian Penal Code and Section 30 (a) of Bihar Excise Amendment Act, 2016.

It is contended that, as per allegation, 231 liters of Nepali Saufi liquor was recovered from the possession of co-accused Naresh Giri, who disclosed the name of the petitioners to be involved alongwith him. It is further contended that nothing has been recovered from the physical possession of the petitioners. They have falsely been implicated in the present case at the instance of co-accused Naresh Giri. It is contended that the co-accused Raja Kumar has already been granted bail by a



coordinate Bench of this Court vide order dated 17.04.2018 passed in Cr. Misc. No. 21923 of 2018. It is urged that the petitioners are in custody since 13.01.2018. It is stated in paragraph 3 of the Bail Petition that petitioners are also involved in similar nature of cases.

Considering the facts and circumstances of the case, the petitioners, above-named, are directed to be released on bail on furnishing bail bonds of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of 2nd Additional District and Sessions Judge-cum-Special Judge, Excise Act, Madhubani in connection with Jainagar P.S. Case No. 05/2018 with a condition that if the petitioners, after their release in this case, are again found involved in similar nature of cases then the concerned court would be at liberty to take steps for cancellation of their bail bonds.

That apart, in view of the antecedents of the petitioners, they would be required to appear before the Superintendent of Police, Madhubai within fifteen days of their release with a copy of this order and every month thereafter for the next six months. The conduct of the petitioners will be kept under watch in the aforesaid period by the Superintendent of Police concerned and if it is found



wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioners before the court concerned which should be granted by the Superintendent of Police concerned upon their appearance.

(Dr. Ravi Ranjan, J)

V.K.Pandey/-

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