

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75172 of 2018

Arising Out of PS. Case No.-22 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Araria

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1. Bam Shankar Kumar, Son of Damodar Mehta, Resident of Mohalla- Aamha, Ward No.6, P.S.+District- Supoul.
 2. Manoj Bhagat, Son of Shyam Bihari Bhagat, Resident of Ward No.3, Gamhariya, P.S.- Gamhariya and District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha

For the Opposite Party/s : Ms. Meena Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 17-12-2018

Heard learned counsel for the parties.

Petitioners seek bail in Sadar Circle Excise Case No.22/2018 (Excise Special Case No.1376/2018) registered for the offence punishable under Sections 30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 148.38 litres foreign liquor from a car in which petitioners were sitting.

It has been submitted on behalf of the petitioners that they have falsely been implicated in this case merely on the basis of suspicion. Petitioners have no criminal antecedent and they are in custody since 02.11.2018.

Considering the aforesaid facts and circumstances of



the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise)-cum-2nd A.D.J., Araria in connection with Sadar Circle Excise Case No.22/2018 (Excise Special Case No.1376/2018), with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(4) If the petitioners are found involved in similar nature of offences, after their release on bail the trial court shall take steps to cancel their bail bonds.

(S. Kumar, J)

Sanjay/-

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