

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51470 of 2018

Arising Out of PS.Case No. -116 Year- 2018 Thana -SIDHWALIYA District- GOPALGANJ

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1. Shailesh Rai, S/o Sri Rajendra Rai,
2. Vikas Rai, S/o Sri Rajendra Rai, Both resident of Village- Bucheya
Kavaji Ke Tola, P.S.- Sidhwaliya, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-09-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Sidhwaliya P.S.Case No.116 of 2018 , registered for offences punishable under Section 30(a) of the Indian Penal Code.

Allegation against the petitioners is of recovery of 33 ltrs. of liquor in 50 bottles.

Submission of the learned counsel for the petitioners is that he has no criminal antecedent and the recovery is from the joint house.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above , 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 order, 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 2nd Addl. Sessions Judge-cum-Spl. Judge (Excise), Gopalganj in connection with Sidhwaliya P.S.Case No.116 of 2018 subject to condition 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.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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