

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6526 of 2018

Arising Out of PS.Case No. -302 Year- 2017 Thana -GARDANIBAGH District- PATNA

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1. Arbind Kumar, Son of Late Mahendra Prasad Yadav, resident of Village- Sabajpura, P.S. Phulwarisharif, District- Patna.
2. Md. Rohit, son of Md. Monu, resident of Mohalla - Badi Badalpura, P.S. Khagaul, District- Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Narendra Kumar, Advocate

For the Opposite Party : Mr. Rajendra Pd. Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 12-02-2018 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are in custody since 06.09.2017 in connection with Gardanibagh P.S. Case No. 302 of 2017, Spl. Case No. 5815 of 2017 for the offences alleged under Sections 38(i)(ii) and 41(1) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

3. It is submitted that the petitioners have been falsely implicated in connection with the alleged recovery of 70 litres of country made liquor. Recovery of the offending goods from the possession of the petitioners is denied. The petitioners claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case and having regard to the period of custody of the above named petitioners since 06.09.2017, let them be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of like amount each to the satisfaction of learned Special Judge, Excise, Patna in



connection with Gardanibagh P.S. Case No. 302 of 2017, Spl. Case No. 5815 of 2017, on the following conditions:-

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

B.T/Chandran

(Vikash Jain, J)

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