

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60693 of 2018

Arising Out of PS.Case No. -349 Year- 2018 Thana -CHAPRA MUFFASIL District- SARAN
=====

1. Chandrama Mahto, S/o Kanhaiya Mahto,
2. Subhash Kumar @ Subash Kumar S/o Bishwanath Mahto @ Bishwanath Mahto, Both R/o Vill.- Chhote (Chotta) Telpa, Rawal Tola, P.S.- Chapra Town, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Sri Yogendra Kumar
=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-10-2018 The petitioners seek regular bail in connection with Chapra Muffasil P.S. Case No. 349 of 2018, registered for offences punishable under Sections 272 and 273 of the Indian Penal Code and Section 30, 30(A), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 40 litres of liquor from Maruti Car and petitioners were arrested from there.

It has been submitted on behalf of the petitioners that they are neither driver nor owner of the car and they were only the passenger of the said car and have nothing to do with the alleged recovery. They have no criminal antecedent and have been in custody since 30.08.2018.



Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of allegation, quantity of recovery and period of custody and also that petitioners has no criminal antecedent, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge, Saran at Chapra, in connection with Chapra Muffasil P.S. Case No. 349 of 2018, subject to the condition that:-

- (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) It is made clear that if the petitioners again found involved in any of the like offences, in future, prosecution will be free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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