

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69819 of 2018

Arising Out of PS. Case No.-449 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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1. Naval Sada Son of Late Nathuni Sada R/o Village-Kherwa Mushary Tola,P.S. Bela,Distt.-Sitamarhi
 2. Upendra Sada Son of Jagdish Sada R/o Village-Kherwa Mushary Tola,P.S. Bela,Distt.-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Rai

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 06-12-2018

Heard the parties.

Petitioners seek bail in Sitamarhi Excise P.S.Case No.C2/449/2018 registered under Section 30(A) of the Bihar Prohibition and Excise Act.

Allegation against the petitioners is that they were arrested by the Police party with 90 litres Nepali Saufi wine and both were brought police station for instituting the F.I.R..

It has been submitted on behalf of the petitioner that they have been falsely implicated in this case and nothing has been recovered from their possession and they are in custody since 29.08.2018 having no criminal antecedent.

Considering the facts and circumstances of the case,



let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of A.D.J.-II-cum- Special Judge Excise Act, Sitamarhi, in Excise P.S. Case No.C2/449/2018 subject to the conditions that (I) Bailors must be of local having sufficient immovable properties within the jurisdiction of the court concerned (ii) petitioner/s shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his/their bail bond shall be cancelled by the court below and (iii) if the petitioner/s tampers 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 petitioner/s (iv) 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)

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