

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.67060 of 2018

Arising Out of PS. Case No.- Year- Thana- District- Patna

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1. Dharambir Kumar Son of Sri Sita Ram @ Sitaram Singh Resident of Village-Kacchi Dargah, Police Station-Nadi Thana, District-Patna.
 2. Madan Kumar Son of Late Ram Ehchha Singh Resident of Village-Sukulpur, P.S.-Nadi Thana, District-Patna.

... .. Petitioner/s

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad
For the Opposite Party/s : Mr. Anil Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 27-11-2018 Heard the parties.

The petitioners seek regular bail in connection with Special Case No.8403 of 2018 (arising out of Nadi Thana P.R.Case No.125 of 2018 registered for offences punishable under Sections 30(a)/32(i) & 38(i) of the Bihar Prohibition and Excise Amendment Act, 2016.

Allegation against the petitioner is about recovery of 130 and odd ltrs. of country-made and mahua liquor.

Submission of the learned counsel for the petitioners is that they have been false implicated in this case, having no criminal antecedent. They are in custody for 2 ½ months.

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, be enlarged 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 Special Judge Excise, Patna in connection with Special Case No.8430 of 2018 (arising out of Nadi Thana P.R. Case No.125 of 2018).

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 disposal of trial and make themselves available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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