

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 75782 of 2018

Arising Out of PS. Case No.-130 Year-2018 Thana- GHANSHYAMPUR District- Darbhanga

1. Ram Kisun Sada, Son of Late Ram Adhin Sada,
2. Uday Chandra Sada, son of Ram Kisun Sada, Both are residents of Village- Jamridih Lagma, Police Station -Ghanshyampur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Subhas Singh

For the Opposite Party/s : Mr.Sri Umesh Lal Verma

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in a case registered under Sections 272, 273 of Indian Penal Code and Section 30 (a) of Bihar Prohibition and Excise Act, 2016.

It is submitted by the petitioners' counsel that the alleged recovery of liquor (110 bottles of whiskey) is not attributed to the petitioners. It is further submitted that no recovery whatsoever has been made from the petitioners' possession and they have falsely been implicated in this case. It is also submitted that the seizure is contrary to the procedure prescribed under Section 100 of Criminal Procedure Code. Petitioners are having no criminal antecedent prior to the instant



case.

Considering the aforesaid submissions and the facts and circumstances of the case, petitioners' prayer for bail is allowed. Let the petitioners above named be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Darbhanga in Ghanshyampur Police Station Case No 130 of 2018 dated 17.09.2018 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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