

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57746 of 2018

Arising Out of PS.Case No. -244 Year- 2018 Thana -BEUR District- PATNA

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1. Kunni Kumar, Son of Ajay Rai @ Ajay Prasad,
2. Raju Rai, Son of Naresh Rai, Both resident of Village- Sikandarpur
Chaksale, P.S. Punpun, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priyank Deepak

For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-09-2018 Heard the parties.

The petitioners seek regular bail in connection with Special Case No.7488 of 2018 arising out of Beur P.S.Case No.244 of 2018 registered for offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016 of the Indian Penal Code.

Allegation against the petitioners is about recovery of 70 ltrs. of *Mahua* liquor from the possession of the petitioners.

Submission of the learned counsel for the petitioners is that they have no criminal antecedent and they have been falsely implicated in this case. They are in custody since 16.8.2018

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 Special Judge, Excise, Patna in connection with Special Case No.7488 of 2018 arising out of Beur P.S.Case No.244 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 their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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