

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23982 of 2018

Arising Out of PS. Case No.-412 Year-2017 Thana- SHIVSAGAR District- Rohtas

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1. Madhuri Devi, Wief of Premchand Bind,
 2. Gorakh Bind, Son of Prem Chand Bind, Both resident of Village- Raipur Choe, P.S.- Shivsagar (Baddi), District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 21-05-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend arrest in Shivsagar (Baddi)
P.S. Case No. 412 of 2017, instituted for the offence under
Sections 30 (a), 34, 35 of the Bihar Prohibition and Excise Act,
2016.

Learned counsel for the petitioners submits that there
is no recovery from possession of both the petitioners. They
have been made accused merely on suspicion. The seizure list
has been enclosed with the written report, wherein, it is
mentioned that some illicit mahua liquor has been recovered
from the house of Prem Chand. The seizure list does not bear
signature of any of the petitioners.

It has been further submitted that in the written report



it is alleged that one Gurucharan Bind has disclosed the name of these petitioners.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Shivsagar (Baddi) P.S. Case No. 412 of 2017, to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Court, Excise, Rohtas at Sasaram, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (1) (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners 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 petitioners.

(Sanjay Priya, J)

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