

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5356 of 2019

Arising Out of PS. Case No.-237 Year-2018 Thana- NADI P.S. District- Patna

1. Sunil Kumar Sah @ Sunil Sao (M) aged about 18 years son of Shamu Sah @ Ramu Sah Resident of Village – Paharpur, P.S. Jurawanpur, District- Vaishali.
2. Ajay Sah @ Ajay sao (M) aged about 18 years Son of Neman sah Resident of Village – Saidabad, P.S. Raghobpur, District- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 20-02-2019 Heard learned counsel for the parties.

Petitioners seek bail in **Nadi P.S. Case No. 237 of 2018** registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act 2016.

Allegation is recovery of 300 litre of country made illicit liquor from the vehicle of the petitioners.

It has been submitted on behalf of the petitioners that they are innocent and have falsely been implicated in this case. They are driver and co-driver of the vehicle and they were not



aware that illicit liquor has been kept in the vehicle. Petitioners have got no criminal antecedent and are in custody since 19.11.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned **Special Judge (Excise), Patna**, in connection with **Nadi P.S. Case No. 237 of 2018** with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the court below.

(3) If the petitioners tamper 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.

(4). If the petitioners is found involved in similar nature of offence, after their release on bail, the



trial court shall take steps to cancel their bail bonds.

(S. Kumar, J)

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