

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5652 of 2019

Arising Out of PS. Case No.-1057 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhabhua (Kaimur)

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1. Santosh Tiwari and Anr Son of Sri Chandrama Tiwari Resident of Village-
Sawan Dehari.
 2. Rajesh Kumar Baretha Son of Santan Baretha Resident of Village- Fakarabad.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-02-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

Petitioners, who are in custody, seek bail in connection with Excise Case No. 1057 of 2018 corresponding to P.R. No. 20 of 2018-19 registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 86.400 litres of English wine from the vehicle. Petitioner No. 1 is owner of vehicle and petitioner No. 2 is driver of the vehicle and have been implicated in this case falsely and no recovery was made from their conscious possession.

It has been submitted on behalf of the petitioners



that petitioners have no criminal antecedent and they are in custody since 12.12.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Kaimure at Bhabua, in connection with Excise Case No. 1057 of 2018 corresponding to P.R. No. 20 of 2018-19 subject to the conditions that:-

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

(2) Petitioners shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(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.

(4) If the petitioners are found involved in similar nature of offences, after their release on bail the trial court shall take steps to cancel their bail bonds.

(S. Kumar, J)

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