

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1171 of 2019

Arising Out of PS. Case No.-148 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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1. Vijay Paswan, age 30 years (Male), Son of Mahendra Paswan R/o village- Chakmahila, Rajopatti, P.S. Dumra, District, Sitamarhi
 2. Chhote Rai, age 50 years (Male), Son of Chandar Rai R/o village- Narsama, P.S. Riga, District, Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha
For the Opposite Party/s : Ms. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 24-01-2019 Heard learned counsel for the parties.

Petitioners seek bail in G.O. Case No.148 of 2018 registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of altogether 31.8 litres Nepali Saufi wine from the possession of the petitioners.

It has been submitted on behalf of the petitioners that they are innocent and have falsely been implicated in this case. Petitioners have no criminal antecedent and they are in custody since 22.11.2018.

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/- each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Sitamarhi in connection with G.O. Case No.148 of 2018, with following conditions:-

(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 properly represented on each and every date fixed by the court.

(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 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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