

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7135 of 2019

Arising Out of PS. Case No.-397 Year-2018 Thana- MAIRWAN District- Siwan

1. Kundan Kumar Chaudhary @ Kundan Kumar Son of Late Makun Chaudhary
@ Late Makun Pasi, Resident of Village- Chanaur, P.S.- Mairwa (Dhanauti
O.P) District- Siwan.
2. Sanjeev Kumar Son of Sanoj Sah Resident of village- Chanaur, P.S.- Mairwa
(Dhanauti O.P), District- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni
For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

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

Petitioners seek bail in **Mairwa P.S. Case No. 397 of 2018** registered for the offence punishable under Sections 272, 273, 308, 414/34 of the Indian Penal Code and under Sections 30(a)/38 (i)/41 (i) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 29.685 litre illicit liquor from the joint possession of petitioners.



It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case. Nothing has been recovered from their possession. Petitioners have got no criminal antecedent and are in custody since 08.10.2018.

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 **Additional Sessions Judge 2nd-cum-Special Judge, Excise, Siwan**, in connection with **Mairwa P.S. Case No. 397 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 and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail bonds 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)

manoj/-

U			
---	--	--	--

