

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9561 of 2019

Arising Out of PS. Case No.-401 Year-2018 Thana- MASHRAK District- Saran

1. TALIM AND ANR Son of Sahjab @ Sahzad Resident of Village - Lohinga Kala, P.S. Punhana, District - Mewar (Hariyana).
2. Ashif Son of Akhtar Husain Resident of Village - Andhaki, P.S. Punhana, Dist. Mewar (Hariyana).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 28-03-2019 Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners, who are in custody, seek bail in connection with Masrakh @ Masrakh P.S. Case No. 401 of 2018 registered for the offence punishable under Sections 461, 468, 471/120B of the Indian Penal Code and Sections 30(a) 38 and 41 of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 1140.570 litres of wine from the truck and 240 litres of wine from the Honda City Car.

It has been submitted on behalf of the petitioners that petitioners are innocent and have been falsely implicated in this case merely on suspicion. It has been further submitted that



petitioners are not the owner of the Honda City and 240 litres beer was recovered from the said Honda City. Petitioners have no criminal antecedent and he is in custody since 29.11.2018.

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/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 6th A.D.J., Saran at Chapra, in connection with Masrakh @ Masrakh P.S. Case No. 401 of 2018 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 his
release on bail the trial court shall take steps to
cancel their bail bonds.

(S. Kumar, J)

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