

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7644 of 2019

Arising Out of PS. Case No.-105 Year-2018 Thana- BASANHI District- Saharsa

1) Jitendra Kumar, aged about 21 years, Gender, Male, Son of Indradev Prasad Yadav

2) Suraj Paswan, aged about 23 years, Gender, Male, son of Bipin Paswan

Both residents of Moh- Bhirkhi, P.O. & P.S.- Madhepura, District, Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 26-02-2019 Heard learned counsel for the parties.

Petitioners seeks bail in Basnahi P.S. Case No.105 of 2018, Special (Excise) Case No.522 of 2018 registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 25 litres Mahua liquor from a sack belonging to the petitioners.

It has been submitted on behalf of the petitioners that petitioners are innocent and have falsely been implicated in this case. Petitioners have no criminal antecedent and they are in custody since 11.10.2018.

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 Special Judge, Excise Act, Saharsa in connection with Basnahi P.S. Case No.105 of 2018, Special (Excise) Case No.522 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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