

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7944 of 2019

Arising Out of PS. Case No.-365 Year-2018 Thana- BARHARIA District- Siwan

-
1. DINESH SAH aged about 32 years, Gender- Male Son of Rameshwar Sah R/o village- Pipra @ Pipra Narayan P.S- G.B. Nagar District- Siwan.
 2. Girdhari Kumar @ Girdhari Sah aged about 22 years, Gender- Male Son of Sukhdev Singh R/o village- Pipra @ Pipra Narayan P.S- G.B. Nagar District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Prasad Yadav
For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-02-2019 Heard learned counsel for the parties.

Petitioners seek bail in **Barharia P.S. Case No. 365 of 2018** registered for the offence punishable under Sections 272, 273, 308 and 34 of the Indian Penal Code and under Sections 30(a) and 41 (1) of the Bihar Prohibition and Excise Act.

Allegation is of recovery of total 203.100 liter foreign liquor from three motorcycles which was driven by the petitioners and other FIR name co-accused.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case due to instance of his enemies. Nothing has been recovered



from their possession. Petitioners have got no criminal antecedent and are in custody since 23.11.2018.

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 District and Sessions Judge-Iind-cum-Special Judge Excise, Siwan**, in connection with **Barharia P.S. Case No. 365 of 2018**, with following conditions:-

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

(2) Petitioner 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 bond shall be cancelled by the court below.

(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 petitioner.

(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 bond.

(S. Kumar, J)

sudha/manoj-

U		T	
---	--	---	--

