

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8943 of 2019

Arising Out of PS. Case No.-16 Year-2019 Thana- NADI P.S. District- Patna

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1. DHERAJ KUMAR, aged about 18 years, male, Son of Shudama Rai
 2. Bittu Kumar, aged about 20 years, male, Son of Yogeshwar Rai
Both Resident of Village - Rustampur, Piyaria Tola (Pachparia Tola), P.S.
Raghopur, District Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 14-03-2019 Heard learned counsel for the parties.

Petitioners seeks bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 130 litres illicit Mahua liquor from a Tempo which was being boarded by the petitioners.

It has been submitted on behalf of the petitioners that petitioners are innocent and have falsely been implicated in this case. It has further been submitted that petitioners were unaware that illicit Mahua was kept in the Tempo and they have nothing to do with the alleged recovered illicit Mahua. Petitioners have



no criminal antecedent and they are in custody since 14.1.2019.

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 court below where the case is pending in connection with Special Case No. 584 of 2019 arising out of Nadi P.S. Case No. 16 of 2019, 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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