

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12298 of 2019

Arising Out of PS. Case No.-25 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Araria

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1. RAJESH KISKU, aged about 25 years, (M) S/o Tala Kisku Resident of Village- Thonga ghat ward no.3 and 2, P.S. Bausi, District- Araria.
 2. Rana Hasda @ Ran Hasda, aged about 61 years, (M) S/o Ganesh Hasda Resident of Village Thonga ghat ward no.3 and 2, P.S. Bausi, District Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 05-03-2019 Heard learned counsel for the parties.

Petitioners seek bail in **Special Case No. 1618 of 2018**
arising out of Excise Case No. 25 of 2018 registered for the
offence punishable under Section 30(a), (d) of the Bihar
Prohibition and Excise Act, 2016.

Informant who is a police officer has alleged in his self
statement that on receiving of confidential information on
16.12.2018 he raided the house of petitioners from where 5 litre
of illicit liquor, one manufacturing instrument and 30 litre of
solution of *Gur* was recovered from the house of the petitioners
and thereafter petitioners were apprehended.



It has been submitted on behalf of the petitioners that they are innocent and have committed no offence. They have been falsely implicated in this case. Nothing has been recovered from their house or from their possession and only on suspicion they have been made accused in this case. Petitioners have got no criminal antecedent and are in custody since 17.12.2018.

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 **2nd Additional Sessions Judge-cum-Special Judge, Araria**, in connection with **Special Case No. 1618 of 2018 arising out of Excise Case No. 25 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 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 bonds.

(S. Kumar, J)

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