

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10266 of 2019**

Arising Out of PS. Case No.-3 Year-2019 Thana- INDUSTRIAL District- Bhagalpur

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1. BITTU @ BITTU KUMAR @ VISHAL KUMAR AND ANR Son of Pappu Mandal Resident of Village Rani Talab, P.S.- Industrial Area, District- Bhagalpur.
  2. Saurabh Kumar Son of Pappu Mandal Resident of Village Rani Talab, P.S.- Industrial Area, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Indeshwari Prasad Mandal  
For the Opposite Party/s : Mr.Ajay Kumar

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

2      20-02-2019                      Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners, who are in custody, seek bail in connection with Industrial Area P.S. Case No. 03 of 2019 registered for the offence punishable under Section 30/30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation against petitioners is of recovery of 6 litres of foreign liquor and 20 litres of country made Mahua liquor from the hut.

It has been submitted on behalf of the petitioners that alleged liquor has been recovered from the hut of co-accused Pappu Mandal. There is no recovery has been made



against petitioners and they have been implicated in this case only on suspicion. Petitioners have no criminal antecedent and they are in custody since 10.01.2019.

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/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 2<sup>nd</sup> Additional District & Sessions Judge-cum-Special Judge, Excise, Bhagalpur, in connection with Industrial Area P.S. Case No. 03 of 2019 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 their release on bail the trial court shall take steps to cancel their bail bonds.

**(S. Kumar, J)**

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