

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14614 of 2019

Arising Out of PS. Case No.-118 Year-2017 Thana- HARLAKHI District- Madhubani

1. SHIVJEE SAHANI @ SHIVJI SAHANI, S/o Late Sukhari Sahani Resident of Village- Sothgon, P.S.- Harlakhi, District- Madhubani.
2. Raj Kishore Sahani S/o Rambilash Sahani Resident of Village - Sothgon, P.S.- Harlakhi, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 04-04-2019 Heard learned counsel for the parties.

Petitioners, who are in custody, seek bail registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code under Section 30(a) of the Bihar Prohibition and Excise Act.

Allegation is of recovery of total 271.500 litre illicit liquor from eight jute sack which was being carried by the petitioners.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case. Allegation against petitioners are false and concocted. Nothing has been recovered from their possession. Petitioners



have got no criminal antecedent and are in custody since 27.12.2018.

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 court below where the case is pending in connection with **Harlakhi P.S. Case No. 118 of 2017**, 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 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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