

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79036 of 2018

Arising Out of PS. Case No.-676 Year-2018 Thana- KAHALGAON District- Bhagalpur

1. Deepak Kumar S/o Dukhan Mandal R/vill-Babupur, P.S-Sabaur, Distt.- Bhagalpur.
2. Hemant Kumar S/o Wakil Mandal R/vill-Babupur, P.S-Sabour, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

For the Opposite Party/s : Mr.Sri Bisheshwar Ram

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 16-01-2019 Heard learned counsel for the parties.

Petitioners seek bail in Kahalgaon (Shivnarayanpur)

P.S. Case No. 676/2018 registered for the offence punishable under Sections 188/290/ 34 of the Indian Penal Code and Sections 30(a), 56(d) of the Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 32 litres country made liquor from the possession of the petitioners.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case. Petitioners have no criminal antecedent and they are in custody since 01.11.2018.

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 2nd Additional Sessions Judge-cum-Special Judge Excise, Bhagalpur in connection with Kahalgaon (Shivnarayanpur) P.S. Case No. 676/2018, 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.

(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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