

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.1720 of 2019**

Arising Out of PS. Case No.-127 Year-2018 Thana- PARIHAR District- Sitamarhi

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1. Mohan Kumar. Son of Parsuram Ray R/o Village- Andauli, P.S.- Parihar, District-Sitamarhi.
  2. Sunil Kumar, son of Parsuram Ray R/o Village- Andauli, P.S.- Parihar, District-Sitamarhi.
  3. Uday Kumar @ Uday Ray, son of Parsuram Ray R/o Village- Andauli, P.S.- Parihar, District-Sitamarhi.
  4. Parsuram Ray, son of Late Sogarath Ray R/o Village- Andauli, P.S.- Parihar, District-Sitamarhi.
  5. Satendra Kumar @ Satendra Ray, son of Parsuram Ray R/o Village- Andauli, P.S.- Parihar, District-Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Smt Indu Kumari Srivastava

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      01-02-2019                      Heard the parties.

The petitioners are apprehending their arrest in connection with Parihar P.S. Case No.127 of 2018 registered for offences punishable under Sections 272, 273 of the Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act, 2016.

Allegation as per FIR is that 112.500 litres of Nepali Saufi wine has been recovered from the auto and petitioner were fled away from their.

Submission of learned counsel for the petitioner is that nothing has been recovered from the possession of the petitioner. Petitioner No.5 was driving the auto and petitioner No.4 is the owner of the auto.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner No.5, who will surrender before the Court below and prayed for regular bail which will be considered by lower Court on its own merit without being prejudiced to the order of this Court and so far other petitioners are concerned, let the petitioner No.1 to 4, above named, in the event of arrest or surrender before the Court below within a period of six weeks from the date of receipt/ production of a copy of this order, be released on bail upon furnishing bail bond of Rs.25,000/-(Rupees Twenty Five thousand) each with two sureties of the like amount each to the satisfaction of the learned ADJ-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Parihar P.S. Case No.127 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

The petition is disposed of with the above direction.

**(Vinod Kumar Sinha, J)**

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