

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33163 of 2019

Arising Out of PS. Case No.-60 Year-2019 Thana- BAHERI District- Darbhanga

1. Jay Prakash Lal Deo Son of Dineshwar Lal Deo
2. Amit Lal Deo Son of Nirgun Lal Deo Residence of Village/Mohalla-Turki, P.S.-Baheri, District-Darbhangha.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 17-08-2019 Heard learned counsel for the petitioners as well as learned Addl. Public Prosecutor for the State.

Petitioners seek bail in a case registered under sections 467, 468, 420 of the IPC and section 30(A) of Bihar Excise (Amendment) Act.

Allegation is that some persons were apprehended on the charge that they were carrying liquor. Apprehended persons have alleged that liquor were brought for various persons including petitioners. On such statement given by co-accused who was apprehended on the spot, petitioners have been implicated and arrested from their house. No recovery is alleged to have been made from the petitioners.

Petitioners have a criminal antecedent of one case



bearing Baheri P.S. Case no.11/2009 under section 47 of the Excise Act in which they have been allowed bail. Petitioners are in jail custody since 01.04.2019.

Considering the facts and circumstances as well as submissions of the parties, let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the 5th Addl. Sessions Judge-cum- Special Judge, Excise Act, Darbhanga in G.O. Case no. 358/2019 arising out of Baheri P.S. Case no. 60/2019 subject to the following conditions.

(1) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) That the petitioners will be well represented on each date and if he fails to do so on two consecutive dates, their bail will be liable to be cancelled.

(Madhuresh Prasad, J)

s.hassan/-

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